

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
SECOND
EXTRAORDINARY
SESSION
OF 1978

HELD IN THE CITY OF MONTGOMERY
COMMENCING MONDAY, JULY 31, 1978



WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

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2. Legislative roster, listing names and addresses of all members of the current Legislature by district;
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JOURNAL OF THE SENATE
OF THE
STATE OF ALABAMA
SECOND EXTRAORDINARY SESSION
OF 1978

FIRST LEGISLATIVE DAY

MONDAY, JULY 31, 1978

BE IT REMEMBERED, that on the 31st day of July, A.D., 1978, George C. Wallace, Governor of the State of Alabama, issued his proclamation in words and figures as follows, to-wit:

STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of the State of Alabama in extraordinary session as prescribed by Article V, Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, George C. Wallace, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 4:00 P.M., Monday, July 31, 1978, and I do hereby designate the following subjects and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to make appropriations for the support of public education in the State of Alabama.

2. Constitutional amendment to amend further Article XI, Section 217 of the Constitution of Alabama of 1901, as amended, pertaining to ad valorem property taxation in the State.

3. Legislation implementing the proposed constitutional amendment described in Paragraph 2 hereof, contingent upon its adoption as provided in the Constitution, as follows: to define the classes of taxable property subject to state and local ad valorem property taxation; to fix the ratios of assessed value to fair and reasonable market value applicable to such classes of taxable property; to regulate the adjustment of such ratios by local taxing authorities with respect to ad valorem property taxes levied and collected by or with respect to such taxing authorities; to permit the assessment of certain taxable property based on its value as used at the time of assessment and not on the value such property might have if it were put to some other possible use; to regulate the assessment of taxable property at its current use value by county tax assessors, the state department of revenue, and other persons; to establish criteria for determining whether taxable property is eligible for current use value assessment; to establish criteria for ascertaining the current use value of such taxable property; to provide for the taxation of property assessed at its current use value that ceases to qualify for such assessment;

and to provide for the deduction of state and local property taxes in excess of the maximum amount of such taxes permitted in the proposed constitutional amendment.

4. Legislation providing for the exemption of certain household goods, business inventory, farm tractors and certain agricultural equipment and farm animals from all ad valorem property taxes in the State; and legislation providing a homestead exemption to be applied to ad valorem property taxes levied by counties, and eliminating certain restrictions in present law on the homestead exemption applicable to state ad valorem property taxes that is available to persons over 65 years of age, or who are blind, or who are retired due to permanent and total disability.

5. Legislation providing for the distribution of funds received by the State and local governments from the Tennessee Valley Authority and its distributors in lieu of ad valorem taxes to certain counties and municipalities in the State.

6. Legislation authorizing the Alabama Public School and College Authority to issue additional limited obligation revenue bonds.

7. Legislation providing for tuition grants for students attending certain private institutions of higher education in the State.

8. Legislation to make a conditional appropriation to the Department of Pensions and Security for the fiscal year beginning October 1, 1978.

9. Constitutional amendment authorizing the State to issue its general obligation bonds for the purpose of acquiring, constructing, equipping and improving prisons and other penal and correctional facilities for use by the State.

10. Legislation implementing the proposed constitutional amendment described in Paragraph 9 hereof, contingent upon its adoption as provided in the Constitution.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have caused this proclamation to be attested by the Secretary of State, at the capitol, in the City of Montgomery, on this the 19th day of July, 1978.

GEORGE C. WALLACE,
Governor.

ATTEST:

MRS. AGNES BAGGETT,
Secretary of State.

Pursuant to such proclamation, at the hour of 4 o'clock P.M. on Monday, July 31, 1978, the Senators in the Legislature of Alabama assembled in the Senate Chamber.

The Senate was called to order by the Honorable Jere Beasley, Lieutenant Governor and President and Presiding Officer of the Senate. McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by Dr. Cecil E. Bradley, Pastor, St. James United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

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LEAVE OF ABSENCE

On motion of Mr. Fine, leave of absence was granted Messrs. Baker, Edwards, McDonald (S) and Stewart for today.

RESOLUTIONS

Mr. Fine offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. RELATING TO THE PRINTING OF ACTS.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the printed Acts of the Second Special Session of the Legislature of 1978 be bound respectively with the printed Acts of the First Special Session and the Regular Session of 1978.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Fine then offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. COMMITTEE APPOINTED TO NOTIFY GOVERNOR OF JOINT SESSION.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a committee of three members of the Senate, to be named by the President and Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED That a Joint Session of the Legislature be held at 6:30 P.M. for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

BE IT FURTHER RESOLVED That the above-named Committee be also appointed to wait upon the Governor and advise him that the two Houses will meet in Joint Session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the Hall of the House of Representatives for the Joint Session.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Messrs. Goodwin, Peden, St. John and Higginbotham.

UNANIMOUS CONSENT GRANTED

Mr. Fine requested and received unanimous consent that the Resolution, S. R. 42, adopted at the 1975 Regular Session, be rescinded for this Special Session only.

RESOLUTIONS

Messrs. Owen, Perry, and Bank offered the following Senate Resolution, to-wit:

S. R. 3. BE IT RESOLVED BY THE SENATE OF ALABAMA AS FOLLOWS:

I. That the following bills indicated by description and subject matter shall be the paramount, and continuing order of business for each and every legislative day that one or more of them appear on the calendar in the order prescribed below:

- (1) The Special Education Trust Fund budget bill;
- (2) The property tax relief bills, to include all bills in the package;
- (3) The T.V.A. bill;
- (4) The funding bill for the Department of Pensions and Security;
- (5) The bond issue for education to be used for capital outlay purposes;
- (6) The prison bond issue; and
- (7) The Tuition grant bill for private colleges.

II. That all bills in this session shall be considered and voted upon, including any and all substitutes and amendments thereto, with no more than three (3) hours debate thereon per bill; and

III. That the Senate shall have the right to fix its times for meeting during this session without regard to any existing rule or resolution, and any restrictive rules or resolutions are hereby suspended for this session; and

IV. That the Senate from this day forward shall meet on consecutive days until both houses adjourn sine die.

V. That this resolution shall take effect immediately upon its adoption and shall be in full force and effect for the present special session only.

On motion of Mr. Owen, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Owen offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. WHEREAS the Alabama Legislature has been summoned into Special Session by Governor George Wallace for the purpose of considering a series of important bills relating to education, taxation, and other matters which are critical to the performance of state government; and

WHEREAS a majority of the bills contained in the Governor's call were within the responsibility of the 1978 Regular Session earlier this year and their failure to pass constitutes the need for the present Special Session; and

WHEREAS each Senator and Representative owes to his or her constituents to fairly consider and vote on every bill in the Governor's call in this Special Session and to do so as efficiently and economically as possible;

NOW THEREFORE BE IT RESOLVED by the Alabama Legislature both Houses thereof concurring that the members and officers of Alabama House and Senate agree to accept no per diem compensation or expense monies of any form for the duration of this Special Session and further agree to completing the work of the Session as quickly and expeditiously as possible.

On motion of Mr. Owen, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Perry, Goodwin, and Higginbotham offered the following Senate Resolution, to-wit:

S. R. 5. SUSPENDING THE SENATE "FIVE O'CLOCK ADJOURNMENT" RULE.

BE IT RESOLVED BY THE SENATE OF THE ALABAMA LEGISLATURE, That S. R. 42 of the 1975 Regular Session and any and all other Senate Resolutions that require a five o'clock p.m. adjournment of the Senate are hereby suspended during the 1978 Special Session of the Alabama Legislature that commenced on July 31, 1978.

BE IT FURTHER RESOLVED BY THE SENATE OF THE ALABAMA LEGISLATURE, That the Senate may transact business during such hours as the Senate shall determine on all legislative days of the Special Session that commenced on July 31, 1978.

Which was read and referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Peden, Waldrop, Gilmore, Powell, St. John, Clemon and Teague:

S. 1. To appropriate two hundred fifty million dollars (\$250,000,000) from the Alabama Special Educational Trust Fund, over a designated period, for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide how said monies shall be spent by the state board of education and the Alabama Commission on Higher Education.

Committee on Finance and Taxation.

By Messrs. Peden, Fine, Gilmore, Waldrop, St. John, McDonald (A) and Clemon:

S. 2. To provide further for the distribution of payments in lieu of taxes made to the state by the Tennessee Valley Authority.

Committee on Finance and Taxation.

By Messrs. Peden, Fine, Adams, Gilmore, Waldrop, Powell, Proctor, Little and Teague:

S. 3. To provide certain additional state compensation for enforcement of state laws to certain county and municipal law enforcement officers.

Committee on Finance and Taxation.

By Mr. Fine:

S. 4. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt car pools and van pools from regulation by the public service commission and municipalities.

Committee on Commerce, Transportation,
and Utilities.

By Mr. Fine:

S. 5. To further amend Sections 34-7-1, 34-7-4, 34-7-5, 34-7-7, 34-7-11, 34-7-19, 34-7-24 and 34-7-40 of the Code of Alabama 1975, as amended, and specifically repeals Sections 34-7-22 and 34-7-23 of the Code of Alabama 1975, as amended, which sections relate to the practice of cosmetology, so as to further regulate the profession.

Committee on Health and Welfare.

By Messrs. McDonald (A), Edwards and King:

S. 6. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors.

Committee on Finance and Taxation.

By Mr. McDonald (A):

S. 7. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt car pools and van pools from regulation by the Public Service Commission and municipalities.

Committee on Commerce, Transportation,
and Utilities.

By Mr. Wilson (with notice and proof):

S. 8. Relating to Walker County; to amend Sections 3, 4, 9 and 10 of Act No. 356, S. 502, 1971 Regular Session, approved August 19, 1971 (Acts 1971, p. 652), which provides for the construction, maintenance and repair of public roads and bridges in Walker County, so as to earmark ninety-five percent of all revenue received by the Walker County Commission from the coal severance tax provided for in Act No. 598, H. 643, 1977 Regular Session (Acts 1977, p. 799) for use in the maintenance and construction of roads in Walker County effective October 1, 1978; so as to divide funds in the county road and bridge fund equally among the commission districts of the county; and, so as to make certain powers vested in the county engineer subject to the approval of a majority of the members of the county commission.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 8, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Messrs. McDonald (A) and Edwards:

S. 9. To provide for the annual distribution to certain counties, municipalities and public agencies of a percentage of the amount paid to the

state by federal agencies in lieu of ad valorem taxes; and to repeal conflicting laws.

Committee on Finance and Taxation.

By Mr. King:

S. 10. To appropriate \$729,800 from the Special Education Trust Fund as capital outlay funds for emergency renovation projects at J. F. Drake State Technical College and to regulate the use of such funds.

Committee on Finance and Taxation.

By Mr. Wilson (By Request):

S. 11. To make an appropriation to the Board of Corrections from the Alabama Special Educational Trust Fund for capital outlay purposes for the fiscal year beginning October 1, 1978.

Committee on Finance and Taxation.

By Mr. Wilson (By Request):

S. 12. To establish an Emergency Highway Maintenance Program for the immediate maintenance and repair of the highways, roads and bridges of this state; to make further additional appropriations to the State Highway Department to fund said program for the fiscal years beginning October 1, 1978; October 1, 1979; and October 1, 1980.

Committee on Finance and Taxation.

By Messrs. Foshee and Wilson (By Request):

S. 13. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of 1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

Committee on Commerce, Transportation,
and Utilities.

By Mr. Waldrop:

S. 14. To amend Section 4 of Act No. 594, H. 308 of the 1978 Regular Session, which section relates to the maintenance by the jury commission of a master jury box and master list for each county, so as to change the month in which the master jury box must be emptied and refilled.

Committee on Judiciary.

By Messrs. Pearson, Clemon, Roberts, Ellis, Mims, Fine, Perloff, Peden, McDonald (A), Gilmore, Owen, Foshee, St. John, Waldrop, Powell, King, Bank, Vacca, Goodwin and McMillan:

S. 15. To propose and provide for the submission of an amendment to Section 110 of the Constitution of Alabama of 1901.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Ellis and Vacca:

S. 16. To amend Sections 32-1-1, 32-5-64, and 32-12-20, Code of Ala-

bama 1975 so as to define a motorized bicycle and to provide that a motorized bicycle be treated as a separate and unique form of motor vehicle.

Committee on Finance and Taxation.

By Mr. Ellis:

S. 17. To amend section 16-25-1 and 16-25-21, Code of Alabama 1975, which relate to the state teachers' retirement system, so as to redefine the term "teacher" to include employees or officers of the American Federation of Teachers, and providing for certain contributions into the system, thereby allowing such persons to participate in the state teachers' retirement system.

Committee on Finance and Taxation.

By Mr. Ellis:

S. 18. To amend Sections 22-18-1 and 22-18-4 of the Code of Alabama 1975 relating to the training and licensing of ambulance drivers, attendants and operators, so as to clarify the procedure for issuance of a license for the Emergency Medical Technician reclassifications and to correct the classification designation of certain ambulance drivers, attendants and operators.

Committee on Finance and Taxation.

By Messrs. Ellis and Vacca:

S. 19. To define motorized bicycles, to prescribe the licensing procedure and allocation of license fees, to apply certain rules of the road and safety requirements and to require no insurance for the operation of such motorized bicycles.

Committee on Finance and Taxation.

By Messrs. McMillan and Clemon (with notice and proof):

S. 20. Relating to Jefferson County; levying an additional 1% lodging tax to be used by the Greater Birmingham Convention and Visitors Bureau to be used for the promotion of Birmingham as a convention and visitors destination; providing that the Director of Revenue shall collect such tax.

Committee on Local Legislation No. 2.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 20, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Messrs. Teague, Powell, Fine, Perloff, Owen, Proctor and Peden:

S. 21. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

Committee on Finance and Taxation.

By Mr. Teague (with notice and proof):

S. 22. Relating to Calhoun County; providing that the members of the county board of education shall be elected only by the qualified electors of Calhoun County who reside within the school districts served by said board.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 22, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Little (with notice and proof):

S. 23. Relating to Tallapoosa County; providing further for the hunting and taking of raccoons and opossums in said County.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 23, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Little (with notice and proof):

S. 24. Relating to Tallapoosa County; further regulating the trapping of fur-bearing animals in said county and prescribing penalty for enforcement.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 24, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Little:

S. 25. To amend Section 40-9-12, Code of Alabama 1975, so as to grant certain taxing and licensing exemptions to the East Alabama Services for the Elderly, Inc.

Committee on Finance and Taxation.

By Mr. Little:

S. 26. To direct the Alabama Historical Commission to erect a monument on the state capitol grounds in Montgomery, Alabama, in honor of Senator James B. Allen, to appropriate certain money to carry out the purpose of this act.

Committee on Finance and Taxation.

By Mr. Little:

S. 27. To require that city and county boards of education, the State Board of Education, other educational agencies, the Alabama Institute for Deaf and Blind and Alabama's senior universities reimburse its employees for mileage when said employees are required to travel as a part of their job assignment.

Committee on Finance and Taxation.

By Mr. Fine:

S. 28. To name Gadsden State Junior College in Gadsden, Alabama, "The James Browning Allen State Junior College."

Committee on State Government.

By Messrs. Perry, Goodwin, Owen, Higginbotham, Powell and Ellis:

S. 29. To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Perry and Goodwin:

S. 30. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bona fide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and award of grants, renewal of grants, applications for grants, approval and award of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periodic auditing of approved institutions; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to make an appropriation funding the program from the Special Education Trust Fund; to provide for severability; to repeal conflicting laws; and to provide an effective date.

Committee on Finance and Taxation.

By Messrs. Perry and Goodwin:

S. 31. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Perry and Goodwin:

S. 32. To authorize Alabama Public School and College Authority to sell and issue two hundred and nineteen million dollars (\$219,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Committee on Finance and Taxation.

By Messrs. Perry and Goodwin:

S. 33. To authorize, in implementation of the constitutional amendment proposed in the act introduced as S. Bill No. 31 introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded.

Committee on Finance and Taxation.

By Messrs. Foshee, Owen and Fine:

S. 34. To provide further for the establishment of rates of payment for electrical energy produced by companies regulated by the Public Service Commission.

Committee on Finance and Taxation.

By Messrs. Foshee, Owen and Fine:

S. 35. To amend Section 40-18-20 of the Code of Alabama 1975, relating to a state income tax exemption for military retirement benefits so as to provide further for such exemption.

Committee on Finance and Taxation.

By Mr. Foshee:

S. 36. To amend Section 11 of Act No. 584, H. 426 of the 1978 Regular Session, approved April 27, 1978, which section sets the number of session days for the various counties, so as to eliminate a duplication for Geneva County.

Committee on Finance and Taxation.

By Mr. Foshee:

S. 37. To make a conditional appropriation from the Alabama special educational trust fund to the Lurleen B. Wallace State Junior College.

Committee on Finance and Taxation.

By Mr. Powell:

S. 38. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

Committee on Insurance.

By Mr. Powell:

S. 39. To appropriate from the Special Educational Trust Fund the sum of \$12,000,000.00 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama.

Committee on Finance and Taxation.

By Mr. Jones:

S. 40. To amend Sections 22-5-2, 22-5-3, 22-5-4, 22-5-5, 22-5-6 and 22-5-7, relating to the state commission on physical fitness, so as to provide further for the protection, promotion and improvement of the physical fitness of residents of the state; to provide further for the appointment and the nomination of commissioners; to provide further for the number of members constituting a quorum; to provide further for the duties of the commission; and to provide further for merit system employment for employees of the commission.

Committee on Finance and Taxation.

By Mr. Jones (with notice and proof):

S. 41. To revise existing bail practices in the courts within the Fifteenth Judicial Circuit, and allows persons charged with certain offenses to be released on their recognizance and to assure that such persons, regardless of their financial status or social status, shall not needlessly be detained pending their appearance at trial when detention serves neither the ends of justice nor the public interest; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 41, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Messrs. Jones and Fine:

S. 42. To amend Section 1 and 2 of Act No. 679, S. 601 of the 1978 Regular Session, approved May 1, 1978, which act provides salary increases for certain state employees, so as to include certain persons classified as clerk-stenographer II and IV.

Committee on Finance and Taxation.

By Mr. Jones:

S. 43. To exempt the South Alabama State Fair Association, a non-profit corporation, from the payment of all state, county, and municipal sales taxes levied upon admission tickets sold by the Association for its South Alabama State Fair.

Committee on Finance and Taxation.

By Mr. Ellis (with notice and proof):

S. 44. To authorize and provide for the incorporation in Jefferson County of public corporations for the purpose of promoting the industrial development of the county and municipalities therein and particularly the development and commercial use of the inland waterways in such county through the acquisition and preparation of suitable wharves, docks, warehouses, and other port and related facilities, including roads, railroads, pipelines, conveyors, and facilities suitable for use as manufacturing plants, industrial plants, and leasing or letting such buildings, structures, or facilities; to provide for the appointment and compensation of directors of any such authority; to provide for the powers, authorities and duties of any such authority and its board of directors; specifically to authorize any such authority to acquire, construct, operate, improve and finance wharves, docks, warehouses, and other port and related facilities, and specifically to apply to the United States Foreign Trade Zones Board for permission to establish, operate and maintain a foreign trade zone and, if such permission is granted, then to establish, operate and maintain such a foreign trade zone; to confer on such authority the power of eminent domain; to provide for the issuance by any such authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any facilities or other property of such authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable in-

struments; to regulate and provide further for the issuance of, security for (including the pledge of certain revenues and properties to the payment thereof), and use of the proceeds of such securities; to provide for refunding of such securities; to provide that such securities issued and contracts entered into by any such authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any port facilities or other property to any such authority; to exempt the property and income of any such authority, all securities issued by such authority and the income from such securities, and all conveyances, leases, mortgages and deeds of trust to which such authority is a party, from all taxation in the state, including license and excise taxes, levied by any county, municipality, or political subdivision of the state; to exempt every authority from certain tort liability; and to provide that certain employees of such authority shall be subject to and covered by any merit or civil service system applicable to the employees of the county and municipality by which the corporation of the authority was authorized if there is such a system applicable to the employees of both the city and county, and, if there is no such system, then to either the county or municipal system, which the authority selects; and to provide for the dissolution of any such authority and the disposition of its property.

Committee on Local Legislation No. 2.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 44, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Mitchell:

S. 45. To require certain minimum deposits into a trust fund of proceeds from sales of grave space in an endowment or perpetual care cemetery; to require a minimum deposit into an irrevocable trust fund by any person establishing endowment or perpetual care cemeteries after the effective date of this Act; to provide for certain contractual provisions; to provide for the supervision and control of such trust funds; to provide for penalties for violation; to provide for enforcement and supervision by the district attorneys of the several judicial circuits; to provide for the recording of certain reports in the several probate courts; to provide for licenses to be obtained from the probate judge; and for related purposes.

Committee on Health and Welfare.

By Mr. Mitchell:

S. 46. To exempt the Hi-Pine Water and Fire Protection Authority in Crenshaw County, Alabama, from the provisions of Section 40-21-82 of the Code of Alabama 1975, which levies a certain tax on the gross receipts and gross sales of certain utilities.

Committee on Finance and Taxation.

By Mr. Mitchell:

S. 47. Proposing an amendment to the Constitution prescribing the

manner for legislative consideration of the general fund budget bill and the special educational budget bill and the time frame therefor.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Goodwin:

S. 48. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

Committee on Health and Welfare.

By Mr. Goodwin:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

Committee on Health and Welfare.

By Messrs. Goodwin and Perry:

S. 50. To conditionally appropriate the sum of five million dollars to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Committee on Finance and Taxation.

By Mr. Bank:

S. 51. To amend further Section 40-6-1 of the Code of Alabama 1975, as amended, relating to qualifications of certain public officials electing to become supernumeraries so as to provide further for such qualifications.

Committee on Finance and Taxation.

By Mr. Mims:

S. 52. To exempt the Grand Chapter of the Order of the Eastern Star of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Mr. Mims:

S. 53. To provide minimum competency tests at grades three (3) or four (4), seven (7) or eight (8), ten (10) or eleven (11); to provide for a commission on competency testing to be appointed by the Governor; to establish minimal standards; to provide for the construction and administration of tests; and to coordinate the testing program with the State Department of Education, the State Textbook Committee and the State Course of Study Committee; to provide for remedial programs to be developed by local school boards and local educators with such plans being submitted to the State Department of

Education; and to provide the funding of such local programs developed in accordance with the appropriations made from time to time by the Legislature; to provide further that beginning with the school year 1983-84 all high school graduates in order to receive a diploma will have passed minimum competency tests, including but not limited to the successful demonstration of basic computational skills, communication skills, and reading skills; and to further provide that students shall take competency tests at grades ten (10) or eleven (11) and shall be permitted to re-take such tests until they have been successfully passed, to provide, upon completion of such academic courses as are required for high school graduation and passage of competency tests, for graduation from high school; to provide for the Commission to develop appropriate competency tests for grades three (3) or four (4), seven (7) or eight (8), and ten (10) or eleven (11), and distribute such tests to local school systems for administration; to provide implementation of testing and remediation programs to begin upon the completion of the tests by the Commission and the necessary appropriations provided on an annual basis by the Legislature; to provide an appropriation for the Commission on Basic Competency Testing for the fiscal year ending September 30, 1979.

Committee on Education.

By Mr. Mims:

S. 54. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and facilities when such businesses come within the same circumstances.

Committee on Agriculture.

By Mr. Mims:

S. 55. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1979, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Committee on Agriculture.

By Mr. Owen:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Committee on Finance and Taxation.

By Mr. Owen (with notice and proof):

S. 57. To amend the title and Section 3 of Act No. 581, S. 641, Regular Session 1977 (Acts 1977, p. 773) relating to Baldwin County and providing for a more convenient and economical system of serving notices to delinquent taxpayers so as to relieve the tax collector of duties relating to service of notice to delinquent taxpayers and provide for the county commission to pay all advertising costs for notices required by said act and publication of notice of sale by the tax collector.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 57, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Owen:

S. 58. To make an appropriation from the Alabama Special Educational Trust Fund to the Diabetic Research Clinic and to the End Stage Renal Disease at the University of Alabama in Birmingham for the fiscal year beginning October 1, 1978, to be used for capital outlay purposes.

Committee on Finance and Taxation.

By Mr. Owen (with notice and proof):

S. 59. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 59, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Owen:

S. 60. Appropriating \$4,976.80 from the state general fund for the relief of Thomas H. Frazier who incurred said amount of medical expenses as a result of certain injuries suffered by his minor son, Brian Craig Frazier.

Committee on Finance and Taxation.

By Mr. Owen (with notice and proof):

S. 61. To repeal Act No. 582, H. 170, Regular Session 1975 (Acts 1975, p. 1325), approved on October 1, 1975, which act provides for the construction, maintenance and repair of roads and bridges in Washington County under the county unit system.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 61, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Owen:

S. 62. To amend Section 41-8-1 through Section 41-8-7 of the Code of Alabama 1975 so as to change the name of the Alabama Public Library Service to the State Library of Alabama and to provide that the director shall be known as the state librarian.

Committee on Finance and Taxation.

By Mr. Owen:

S. 63. Proposing an amendment to the Constitution of Alabama providing further for the procedure for the enactment of bills raising revenue.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Owen (with notice and proof):

S. 64. To regulate the expense allowances in the Twenty-Eighth Judicial Circuit for district judges; and to provide for retroactive effect.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 64, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Owen:

S. 65. To be known as the "Historical Preservation Authorities Act of 1978"; to authorize the incorporation in this state of public corporations for the purpose of undertaking and making or causing to be made engineering, architectural, technical, financial, legal and other appropriate studies and surveys with respect to restoring, renovating, preserving, improving, protecting or maintaining any public or private property within the state that has been listed in the National Register of Historic Places, restoring, constructing, acquiring, owning, operating, leasing, selling and otherwise disposing of such property, and cooperating with and lending financial assistance and other aid to municipalities, communities, counties, individuals, associations, partnerships, and public and private corporations in any matters and undertakings having to do with or the end purpose of which is to restore, renovate, preserve, improve, protect or maintain such property; to provide the method of incorporating such corporations, the management thereof, and the election of directors thereof; to specify the powers and duties of such corporations; to authorize such corporations to issue bonds payable solely from the revenues of such corporations derived from the operation or leasing of such property and to secure such bonds by pledges of such revenues and by mortgages on such property; to provide that no bond or obligation created or assumed by such corporations shall create an obligation or debt of any county or municipality or of the state; to authorize the refunding of any such bonds; to provide that all such bonds shall be negotiable instruments; to authorize such corporations to enter into contracts to secure payment of such bonds; to authorize such corporations to create a statutory mortgage lien on property on such corporation in favor of the holders of such bonds; to provide for the use of proceeds from the sale of bonds of such corporations; to authorize any county, municipality, or other political subdivision, public corporation, agency or instrumentality of this state to lend or donate money to or perform services for the benefit of such corporations, or to donate, sell, convey, transfer, lease or grant to such corporations, without the necessity of authorization at any election of qualified voters, any property of any kind, any interest therein and any franchise, and to do any and all things, whether or not

specifically authorized in this act and not otherwise prohibited by law, that or necessary or convenient in connection with aiding and cooperating with such corporations in furtherance of their corporate purposes; to exempt from taxation such public corporations and their property and income, all bonds issued by such corporations, the income and interest from such bonds, conveyances by and to such corporations, and leases, mortgages and deeds of trust by and to such corporations; to provide for the filing of the certificates of incorporation or the recording of any document by such corporations without the payment of any fees, taxes or costs; to provide for reports by such corporations to the governor; to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law; to provide for the severability of the provisions hereof; to provide the effective date hereof; to exempt any corporation organized hereunder from Sections 41-16-50 through 41-16-63 of the CODE OF ALABAMA 1975; and to provide for the dissolution of such corporations and the disposition of their property upon dissolution.

Committee on Finance and Taxation.

By Messrs. Owen, Little, Fine, Stewart, Mitchell, King, Gilmore, Wilson, Edwards, Higginbotham and Waldrop:

S. 66. To make an appropriation for capital outlay purposes at the main campus of Auburn University for the fiscal year ending September 30, 1979.

Committee on Finance and Taxation.

By Messrs. Owen and Shelby:

S. 67. To amend Section 1 of Act No. 600, H. 1134, 1977 Regular Session (Acts 1977, p. 805), as amended, relating to pay increases for certain law enforcement officers, so as to provide a pay increase beginning October 1, 1978, for law enforcement officers employed by the Department of Mental Health.

Committee on Finance and Taxation.

By Mr. Owen:

S. 68. To amend Section 1-1-4 of the Code of Alabama 1975, relating to the legal computation of time for any act provided by law to be done, so as to allow that for purposes of advertising local laws to comply with the constitutional requirements of notice, Sundays may be included in the computation.

Committee on Finance and Taxation.

By Mr. Owen:

S. 69. To provide that anyone convicted of the felonies of murder, rape or armed robbery and incarcerated by the state shall be held in maximum security detention and shall not be assigned to prison farms or to work release centers and activities.

Committee on Finance and Taxation.

By Messrs. Owen and Mims:

S. 70. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

Committee on Finance and Taxation.

By Mr. Owen (with notice and proof):

S. 71. Relating to Baldwin County; providing for the fixing of a fee for the issuance of a pistol permit by the sheriff; providing for the disposition and use of such fees; and giving this act retroactive effect.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 71, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Owen (with notice and proof):

S. 72. Relating to Baldwin County; providing further for an additional expense allowance for the tax assessor and the tax collector.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 72, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Owen:

S. 73. To appropriate one million dollars (\$1,000,000.00) to the state highway department from the state general fund as an emergency appropriation to be used to repair roads and bridges in Baldwin County damaged by the torrential rains and floods on the 26th day of July, 1978.

Committee on Finance and Taxation.

By Mr. Owen (with notice and proof):

S. 74. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 74, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Noonan:

S. 75. To amend Section 40-18-15, Code of Alabama 1975, to allow as a deduction contributions made by individuals for themselves and others under a stock bonus, pension, profit-sharing or annuity plan which constitutes a qualified plan, and for themselves, or spouse, to an individual retirement account, annuity or bond; to further amend Section 40-18-25, Code of Alabama 1975, to exempt from taxation the income (including capital gains) of certain employee benefit trusts forming part of a stock bonus, pension, or

profit-sharing plan which constitutes a qualified trust and of individual retirement income trusts and custodial accounts, and to provide for the "rollover" of distributions from such trusts and accounts; to amend Section 40-18-35, Code of Alabama 1975, to allow as a deduction contributions made by corporations (including professional corporations and professional associations) under a stock bonus, pension, profit-sharing or annuity plan which constitutes a qualified plan; all as provided by the Internal Revenue Code of 1954 as amended and in force and effect on January 1, 1977 and for all taxable years of such individuals, trusts, accounts, and corporations beginning on and after the effective date of this Act to the extent such deductions, exemptions and "rollovers" are permitted by the Federal Income Tax Law as so amended.

Committee on Finance and Taxation.

By Mr. Noonan:

S. 76. To appropriate the sum of One Million Seven Hundred Seventy-three Thousand Dollars (\$1,773,000.00), or so much thereof as may be necessary, from the general fund of the state to the Department of Conservation and Natural Resources, Division of State Parks, Monuments and Historical Sites, for the purpose of acquiring, by purchase or condemnation, approximately eight and one-half (8-1/2) miles more or less constituting the westernmost part of Dauphin Island, Mobile County, Alabama; to authorize the use of any available federal matching funds for the purchase of said property; and to further provide that after the purchase of said property by the state, the property may be used only in a dual capacity, one portion as a public beach and park, and a second portion as an undeveloped natural fishing, camping and hiking area.

Committee on Finance and Taxation.

By Mr. Noonan:

S. 77. To provide the manner corporations not of a business nature may amend or alter their charters.

Committee on Judiciary.

By Messrs. Noonan and Perloff:

S. 78. To appropriate the sum of One Million Five Hundred Twenty-three Thousand Dollars (\$1,523,000.00), or so much thereof as may be necessary, from the general fund of the state to the Department of Conservation and Natural Resources, Division of State Parks, Monuments and Historical Sites, for the purpose of acquiring, by purchase or condemnation, eight and one-half (8-1/2) miles more or less constituting the westernmost part of Dauphin Island, Mobile County, Alabama; to authorize the use of any available federal matching funds for the purchase of said property; and to further provide that after the purchase of said property by the state, the property may be used only in a dual capacity, one portion as a public beach and park, and a second portion as an undeveloped, natural fishing, camping and hiking area.

Committee on Finance and Taxation.

By Messrs. St. John and Fine:

S. 79. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to

include agricultural plants and farming facilities when such businesses come within the same circumstances.

Committee on Agriculture.

By Mr. St. John:

S. 80. To amend Section 4 of Act No. 594, H. 308, 1978 Regular Session, entitled, "An Act To provide for the qualifications and selection of jurors; to provide for a master list, master jury box and trial court box; to provide for qualification forms and the questionnaires to be used thereon; and to repeal Sections 12-16-2, 12-16-4, 12-16-37, 12-16-39, 12-16-41, 12-16-42, and 12-16-43 of the Code of Alabama 1975," so as to provide further for the exact date for emptying and refilling the master jury boxes.

Committee on Judiciary.

By Mr. McDonald (A):

S. 81. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 do not have to be republished.

Committee on Constitution and Elections.

By Messrs. Vacca and Ellis:

S. 82. To exempt the Kidney Foundation of Alabama, Inc., from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Mr. Clemon (with notice and proof):

S. 83. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Committee on Local Legislation No. 2.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 83, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Gilmore:

S. 84. To authorize Alabama Building Finance Authority to sell and issue not exceeding \$11,000,000 principal amount of bonds for the purpose of constructing public office building facilities and altering, constructing additions to, and improving and renovating certain existing public office building facilities, and removing existing structures, and for the procurement of sites and equipment for such facilities or additions thereto, and for the construction of parking facilities; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and the recording thereof and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create obligations or debts of the state; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction of public office building facilities, the alteration, construction of additions to, and improvement and renovation of certain existing public office building facilities and for the equipment of such facilities or additions thereto by the Authority; to authorize the removal of existing structures and the construction of parking facilities; to authorize the conveyance to the Authority of lands owned by the state; to authorize the purchase of certain real property for such purposes; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities (when and as such revenues become available to the Authority) which may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of the bonds and the creation of the pledge as a lien on the revenues, which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, counties, municipal corporations, other public bodies, and private persons, firms, corporations or associations, of space for occupancy in said facilities or additions thereto; to amend Section 25 of Act No. 658 enacted at the 1961 Regular Session of the Legislature of Alabama; to amend Section 18 of Act No. 205 enacted at the 1955 Regular Session of the Legislature of Alabama; and to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge.

Committee on Finance and Taxation.

By Mr. Perry (By Request):

S. 85. To reorganize the Public Service Commission by providing for an increase in the membership of said commission; to prescribe geographical districts for members of the Commission; and to prescribe terms of office, compensation and procedure for election of the members and requires the Public Service Commission to hire an executive director and certain other specialized personnel necessary to transform it into a highly structured regulatory commission.

Committee on Finance and Taxation.

By Mr. Adams (By Request):

S. 86. Relating to the 36th Judicial Circuit; providing for an increase in salary supplement for the circuit judge of said circuit.

Committee on Local Legislation No. 1.

By Mr. Roberts:

S. 87. To amend Section 3 of Act No. 4, H. 62, adopted at the 1956 Second Special Session of the Legislature of Alabama, approved March 16, 1956, entitled, as last amended: "An act relative to municipalities in this state having a population of not exceeding 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds and any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof," so as to permit municipalities to locate projects within the police jurisdiction of any other municipality.

Committee on Local Government.

By Mr. Mitchell:

S. 88. To amend Section 40-6-3 of the Code of Alabama 1975, as amended, so as to provide further for the compensation of supernumerary tax collectors, tax assessors and license commissioners or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama having a population of less than 600,000 inhabitants.

Committee on Finance and Taxation.

By Messrs. Foshee and Owen:

S. 89. Proposing an amendment to the State Constitution to authorize the Governor, by Executive Order, to freeze at the present level or to roll back to any level existing at any time during the six month period immediately preceding said Executive Order, any utility rate or rates established by the

Alabama Public Service Commission for a period of up to one year, and to provide that this amendment shall be self-executing.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to advise the Senate that the House is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Crowe:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate be held at 6:30 P.M. on July 31, 1978 for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, That a committee of three from the House, to be named by the Speaker of the House, and a committee of two from the Senate to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the Speaker has appointed Messrs. Pegues, McCulley and Plaster.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 3, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Messrs. St. John and Higginbotham.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Crowe:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

And the Speaker has named Messrs. Falkenburg, Ford and Kennedy.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 2, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Messrs. Goodwin and Peden.

RESOLUTIONS

Mr. Powell offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

WHEREAS, the deer population in Montgomery County is one of the largest in Alabama with the result that many of the farmers' crops are being destroyed each year because of the rapidly increasing growth of said population; and

WHEREAS, the State Conservation Executive Board has adopted a policy against using dogs to hunt deer in Montgomery County, a regulation with no logical basis and one which violates the property rights of the citizens of Montgomery County; and

WHEREAS, further, if such a policy is allowed to continue, surrounding

counties will be adversely affected as said counties would be overrun by hunters from Montgomery County; and

WHEREAS, petitions signed by thousands of Montgomery citizens, voicing opposition to this unreasonable regulation, have been presented to the Montgomery Legislative Delegation; and

WHEREAS, said delegation desires not to be forced to change this regulation through introduction and passage of a local bill; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, AND PARTICULARLY THE MEMBERS OF THE MONTGOMERY COUNTY DELEGATION, That we call upon the State Executive Conservation Board to revise its decision on the use of dogs to hunt deer in Montgomery County.

BE IT FURTHER RESOLVED, That this body does not wish to regulate the policies of conservation with local legislation but will do so, should it become necessary.

RESOLVED FURTHER, That we request that this regulation be revised immediately and that the Montgomery County Delegation be advised on future policy changes which would affect Montgomery County.

RESOLVED FURTHER, That a copy of this resolution be sent to each member of the Conservation Advisory Board of the State of Alabama.

On motion of Mr. Powell, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Ellis, Clemon, Pearson, Gilmore, Wilson, Vacca, and Proctor offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. EXPRESSING LEGISLATIVE INTENT THAT EMPLOYERS' MATCHING PORTION OF UNEMPLOYMENT COMPENSATION LIABILITY FOR SCHOOL FOOD SERVICE EMPLOYEES BE PAID FROM THE SPECIAL EDUCATIONAL TRUST FUND.

WHEREAS, Act No. 1, H. 1 of the 1978 First Special Session, expanded coverage to employees of the state and its instrumentalities and provided the manner of financing the benefit costs pursuant to the unemployment compensation laws for such employees; and

WHEREAS, there has arisen a question if the school food service program is a federal program or a service under the school systems; and

WHEREAS, the U.S.D.A. only supplements by commodities and a small reimbursement relative to the overall cost of serving children school lunches; and

WHEREAS, the legislature intended for school food service personnel to be treated, under the said Act No. 1, on the same basis as are teachers and other support personnel; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is the intent of the Alabama legislature that the employers' matching portion of unemployment compensation liability for school food service personnel be paid from the funds allocated pursuant to Section 13 of Act No. 1, H. 1 of the 1978 First Special Session, i.e., the Special Educational Trust Fund, on the same basis and in

the same manner as such matching funds are paid for teachers and other support personnel.

RESOLVED FURTHER, That a copy of this resolution be sent to Dr. Wayne Teague of the Department of Education.

On motion of Mr. Ellis, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Jones offered the following Senate Joint Resolution, to-wit:

S. J. R. 8. MOURNING THE TRAGIC DEATH OF MONTGOMERY POLICE OFFICER ROBERT C. USSERY.

WHEREAS, the Legislature of Alabama and the citizens of our state have been grievously saddened by the tragic and untimely death of Police Officer Robert Casterline Ussery, Jr., on July 21, 1978, at the young age of 26; and

WHEREAS, Officer Ussery's lamentable death was the result of grave and multiple injuries sustained when he was struck by a car on July 8, 1978; he fought valiantly for life for almost two weeks during which time more than 300 units of blood were donated on his behalf by his fellow officers and by other citizens who were moved by concern for his life and were motivated by their appreciation of his many acts of service as a dedicated officer of the law; and

WHEREAS, though off duty at the time of the accident, Robert Ussery had stopped to warn a group of young people of the dangers involved in the reckless operation of a vehicle; his life thus became a sacrifice for the safety of his fellowman; and

WHEREAS, a four-year veteran of the Force, the young officer's departmental file stands as testimony to his potential and of the promise of an outstanding professional career; an inordinate number of letters and notations of calls bear witness to his ability and fairness in the performance of his duties; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That, grievously saddened by the death of Robert Casterline Ussery, Jr., we stand in tribute to his courage and in deep appreciation for his magnanimity.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Officer Ussery's wife, Mrs. Lee Ann Dowe Ussery, and to his parents, Mr. and Mrs. Robert H. Jolley, with copies also provided for his three young children, April, Christi and Robert, that they may later know of this body's deep feeling of praise and esteem for their father's great courage.

On motion of Mr. Jones, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Little and Higginbotham offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. PETITIONING THE OFFICIALS OF THE GAME AND FISH COMMISSIONS OF THE STATES OF ALABAMA AND GEORGIA URGING THEM TO AMEND AN EXISTING RECIPROCAL FISHING AGREEMENT SO AS TO RECOGNIZE THE VALIDITY OF ALABAMA

AND GEORGIA FISHING LICENSES IN THE WATERS OF THE CHATTAHOOCHEE RIVER MEANDERING IN A SOUTHERLY DIRECTION FROM THE SOUTH FACE OF THE WEST POINT DAM TO THE POINT WHERE SAID RIVER IS INTERSECTED BY THE RIGHT-OF-WAY OF THE INTERSTATE 85 BRIDGE LINKING HARRIS COUNTY, GEORGIA, AND CHAMBERS COUNTY, ALABAMA.

WHEREAS, by an Act of the General Assembly of the State of Georgia, approved March 7, 1955, (Georgia Laws 1955, p. 483) and by the Code of Alabama 1975, Sections 9-11-210 through 9-11-213, the State Game and Fish Commissions of both states are authorized to enter into agreements of reciprocity whereby valid fishing licenses issued by each state will be honored by the other state on certain portions of the Chattahoochee River and those impoundments thereon; and

WHEREAS, pursuant to said laws the Game and Fish Commissions of the two states entered into such a reciprocal agreement on January 28, 1969, covering the water area of the Chattahoochee River and those impoundments thereon now existing or which may exist in the future, lying between the States of Georgia and Alabama; and

WHEREAS, the banks of the river and impoundments meander in and out of the State of Alabama making it difficult for fishermen to ascertain the location of the state boundary between the south face of the West Point Dam and the point where said river is intersected by the right-of-way of the Interstate 85 bridge linking Harris County, Georgia, and Chambers County, Alabama; and

WHEREAS, confusion exists as to whether Alabama sportsmen may legally fish under an Alabama license in that portion of said river lying between the Interstate 85 bridge and the south face of the West Point Dam under the reciprocal agreement even though portions of said stretch of the Chattahoochee River do not serve as a boundary; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the officials of the game and fish commissions of the States of Alabama and Georgia are hereby urged to amend the existing reciprocal agreement so as to recognize the validity of Alabama and Georgia fishing licenses in the waters of the Chattahoochee River meandering in a southerly direction from the south face of the West Point Dam to the point where said river is intersected by the right-of-way of the Interstate 85 bridge linking Harris County, Georgia, and Chambers County, Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to all members of the Georgia Legislature representing any portions of Harris County and Troup County, Georgia.

On motion of Mr. Little, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Pearson, Clemon, and McMillan offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. HONORING DR. MAMIE LABON FOSTER UPON HER RETIREMENT AFTER FORTY-SIX YEARS SERVICE WITH THE JEFFERSON COUNTY SCHOOL SYSTEM.

WHEREAS, it is with regret, but with deep appreciation and high regard, that the Alabama Senate notes the announced retirement of Dr.

Mamie Labon Foster after forty-six years of able and devoted service with the Jefferson County School System; and

WHEREAS, Dr. Foster, a native of Birmingham, Alabama, was educated in the public schools of Jefferson County; she holds a B. S. Degree from Alabama A. & M. University, two Master of Arts Degrees from Teachers College, Columbia University, and has completed further studies toward a Doctoral Degree from Columbia; and

WHEREAS, during her long and prestigious career, Dr. Foster has served as teacher, teacher-principal, associate professor and, currently, as Administrative Assistant and Director of Reading Instruction with the Jefferson County Public Schools; her professional affiliations are numerous and she has been named the recipient of many outstanding awards and honors in recognition of notable service to her profession; and

WHEREAS, Dr. Foster's activities extend further to include membership in many civic, charitable and religious organizations which she has served through the years in various capacities of leadership; she also travels extensively as a lecturer, demonstrator, consultant and teacher in connection with her professional and religious affiliations; now therefore,

BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, That we most highly commend Dr. Mamie Labon Foster on her outstanding career as an educator; we further congratulate her on her many notable awards and honors and wish her well in all future endeavors.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Foster as but a token of our warm best wishes, appreciation and esteem.

On motion of Mr. Pearson, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Pearson, Clemon, and McMillan offered the following Senate Resolution, to-wit:

S. R. 11. HONORING DR. MAMIE LABON FOSTER UPON HER RETIREMENT AFTER FORTY-SIX YEARS SERVICE WITH THE JEFFERSON COUNTY SCHOOL SYSTEM.

WHEREAS, it is with regret, but with deep appreciation and high regard, that the Alabama Senate notes the announced retirement of Dr. Mamie Labon Foster after forty-six years of able and devoted service with the Jefferson County School System; and

WHEREAS, Dr. Foster, a native of Birmingham, Alabama, was educated in the public schools of Jefferson County; she holds a B. S. Degree from Alabama A. & M. University, two Master of Arts Degree from Teachers College, Columbia University, and has completed further studies toward a Doctoral Degree from Columbia; and

WHEREAS, during her long and prestigious career, Dr. Foster has served as teacher, teacher-principal, associate professor and, currently, as Administrative Assistant and Director of Reading Instruction with the Jefferson County Public Schools; her professional affiliations are numerous and she has been named the recipient of many outstanding awards and honors in recognition of notable service to her profession; and

WHEREAS, Dr. Foster's activities extend further to include membership in many civic, charitable and religious organizations which she has

served through the years in various capacities of leadership; she also travels extensively as a lecturer, demonstrator, consultant and teacher in connection with her professional and religious affiliations; now therefore,

BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, That we most highly commend Dr. Mamie Labon Foster on her outstanding career as an educator; we further congratulate her on her many notable awards and honors and wish her well in all future endeavors.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Foster as but a token of our warm best wishes, appreciation and esteem.

On motion of Mr. Pearson, said Resolution was adopted by the Senate.

Messrs. Mitchell, Waldrop, Lieutenant Governor Beasley, Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Teague, Vacca and Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 12. MOURNING THE DEATH OF SENATOR JAMES B. ALLEN.

WHEREAS, the Legislature of Alabama has been grievously saddened by the death of our beloved United States Senator, James B. Allen, on June 1, 1978, at the age of 65; and

WHEREAS, James Browning Allen was born on December 28, 1912, at Gadsden in Etowah County, Alabama, son of George C. and Mary Ethel Browning Allen; he was educated in the public schools of Gadsden and was a graduate of the University of Alabama School of Law; and

WHEREAS, a practicing attorney from 1936 until 1968, Jim Allen, first and foremost, was a man truly dedicated to morality of principle, devoting some 30 years of his life in service to his state, his nation and its people; he was a member of the Alabama House of Representatives, as was his father before him, and he also was a member of the Alabama Senate who later became our state's first Lieutenant Governor to be twice elected to that office; and

WHEREAS, he served our nation as well, both as a member of the United States Navy during World War II and as United States Senator, first elected in 1968 to be overwhelmingly re-elected by his fellow Alabamians in 1974; and

WHEREAS, even as a freshman senator, James Allen rapidly rose to prestige, power and prominence, not only as that body's acknowledged master of parliamentary procedure, but as a sane and sensible voice ever raised in protest of policies and proposals contrary to his innate sense of right and reason; and

WHEREAS, Senator Allen's greatness was in his goodness; he loved and was loved by those he served, those who now grievously mourn his death with a deep sense of sadness and loss; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That even as we stand in tribute to his accomplishments, we bow in sorrow, recognizing that the death of The Honorable James Browning Allen leaves seeds sown in hope still to be nurtured by others that we may further reap the rewards of his labors of a lifetime.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Mrs. Maryon Mullins Allen and to James B. Allen, Jr., that they may know of our shared sorrow in the loss of their husband and father, a great American statesman and our good friend.

On motion of Mr. Mitchell, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Perry offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. CREATING A SELECT INVESTIGATIVE COMMITTEE TO PROBE THE OPERATIONS OF THE SOUTHERN COMPANY AND ITS SUBSIDIARIES: THE ALABAMA POWER COMPANY, GEORGIA POWER COMPANY, MISSISSIPPI POWER COMPANY AND THE GULF STATES POWER COMPANY.

WHEREAS, a spokesman for the Alabama Power Company has recently and publicly announced his company's intention to appear soon before the Alabama Public Service Commission for the purpose of seeking yet another astronomical increase in rates to be borne by Alabama consumers who already bear the burden of an exorbitant price for a necessity of life; and

WHEREAS, it is the consensus of many, both citizens and experts alike, that many millions of dollars might be saved through different management practices and by a redesign of rates by the Alabama Power Company; and

WHEREAS, further, fuel adjustment costs added monthly to a basic rate that is already deemed more than adequate by many utility experts raises the serious question that the citizens of Alabama are being required to bear the cost of producing electricity to be consumed by other subsidiaries of Alabama Power's parent company, the Southern Company; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a select investigative committee to be composed of six members of the House and six members of the Senate to be appointed by the presiding officer of each house, and six citizens to be appointed by the Governor of the State of Alabama. The members of the committee shall elect from among their membership a chairman and vice chairman. The committee shall make an in-depth study and probe of the operations of the Southern Company and its subsidiaries—the Alabama Power Company, Georgia Power Company, Mississippi Power Company and the Gulf States Power Company—for the purpose of determining how much electricity generated in Alabama is being sold outside our state.

The committee shall have subpoena power and the power to punish for contempt of a committee of the legislature.

Upon the request of the chairman, the secretary of the senate and the clerk of the house shall provide such clerical assistance as may be necessary for the committee's work.

The committee shall report its findings, conclusions and recommendations to the legislature not later than the tenth legislative day of the 1979 Regular Session whereupon the committee shall be dissolved. Each member of the committee (including the "citizen" members) shall be entitled to the regular legislative compensation, per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any

funds appropriated to the use of the legislature, on warrants drawn on the state comptroller upon requisition signed by the committee's chairman.

On motion of Mr. Perry, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Waldrop offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. COMMENDING DR. FRANK W. McCORKLE, PROMINENT GADSDEN PHYSICIAN.

WHEREAS, the Legislature of Alabama has noted, with pleasure, Dr. Frank W. McCorkle's announced intentions to continue his active practice of medicine; Dr. McCorkle, who celebrated his 85th birthday on June 30, 1978, is, at present, Etowah County's oldest practicing physician; and

WHEREAS, he began the general practice of medicine in Gadsden in 1931 and, during the past 47 years, has delivered 8,600 babies, many of which were born at home as was the custom in the early years of Dr. McCorkle's practice; as was the custom, also, he practiced 24 hours a day and seven days a week, treating his patients for all illnesses and without thought as to their ability to pay; and

WHEREAS, as observed by Dr. McCorkle, many changes in the medical profession have taken place through the years, perhaps most notably today's trend toward hospitalization for treatment, and even surgery, once performed at home or in the doctor's office; and

WHEREAS, Gadsden's beloved Dr. McCorkle is a compassionate physician who is dedicated to his profession, sensitive to the needs of his patients and deeply aware of his responsibility in ministering to their physical and total well-being; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Dr. Frank W. McCorkle on his outstanding career as physician and friend to his fellowman; we further wish him well in continued pursuit of his noble profession, directing that he receive a copy of this resolution as but a token of our appreciation and esteem.

On motion of Mr. Waldrop, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Waldrop offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. MOURNING THE DEATH OF MR. CLYDE A. DONEHOO.

WHEREAS, the Legislature of Alabama has grievously noted the death of Mr. Clyde A. Donehoo in Gadsden, Alabama, May 7, 1978, at the age of 83; and

WHEREAS, Mr. Donehoo, for whom Donehoo Elementary School in East Gadsden was named, was a native of Oneonta in Blount County, Alabama; he was a graduate of Auburn University with both bachelor's and master's degrees, had completed additional doctoral studies at George Peabody University in Nashville, Tennessee, and had served as instructor at Auburn, Lawrence University, Jacksonville State and at the Gadsden Center of the University of Alabama; and

WHEREAS, he was superintendent of the Gadsden city school system for nearly 30 years from 1922 to 1951; he was advisor to the city board of education from 1951 to 1955 and was director of the Gadsden Adult Education Program 1955 to 1976; and

WHEREAS, Mr. Donehoo further served his profession as president, for two terms, of the Alabama Education Association, and on the national level as vice president of NEA; and

WHEREAS, he was a prominent and active participant in civic and community affairs, having served as past commander of American Legion Post 231, past captain of the Gadsden Quarterback Club, and past president of the Little Theater; he was a member of Friends of the Library and Civic Music Association and a recipient of the Silver Beaver Award from the Boy Scouts of America; and

WHEREAS, Mr. Donehoo was a faithful and contributing member of the First United Methodist Church; he served as Sunday School superintendent for several years, was chairman of the Board of Stewards and for many years was teacher of the Men's Bible Class; and

WHEREAS, Clyde A. Donehoo was one of his city's most prominent citizens; he was a man of integrity, truly dedicated in his sense of duty to his church, community and state, and is deeply missed by all those whose lives he touched; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Mr. Clyde A. Donehoo of Gadsden, Alabama; we further extend our most heartfelt sympathy to his wife, Mrs. Marjorie Crumpler Donehoo, to their son, Clyde A. Donehoo, Jr., and other family members to whom copies of this resolution shall be sent as evidence of our shared sorrow in their great loss.

On motion of Mr. Waldrop, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Waldrop offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. NAMING THE EDGAR-BURGESS ROAD.

WHEREAS There is a need to name a county road variously known as the "Davis Gap Road" or "Walker's Gap Road" in Etowah County which connects U.S. 431 with Oak Grove Road in Calhoun County; and

WHEREAS, The late Cecil W. Edgar of Glencoe and the late Representative Ray Burgess of Saks were instrumental in improving the road in recent years; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the aforementioned county road be named the "Edgar-Burgess Road" in Etowah County, and the "Burgess-Edgar Road" in Calhoun County, and that the appropriate government subdivision be responsible for erecting the road signs which so indicate this honor that these men so richly deserve.

On motion of Mr. Waldrop, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Waldrop offered the following Senate Joint Resolution, to-wit:

S. J. R. 17. COMMENDING CHEROKEE COUNTY HIGH SCHOOL, 1978 STATE 3A TRACK CHAMPIONS.

WHEREAS, by virtue of a 33-26 win over the defending champion, Centre's Cherokee County High School has claimed the 1978 State Class 3A Track Championship; and

WHEREAS, further, victory at the state meet in Selma, Alabama, after winning in both district and sectional competition, was the first state championship ever, in any sport, for Cherokee County High; and

WHEREAS, the team won the title by placing in nine different events, winning the 880 yard run and piling up additional points with six second places and two thirds; and

WHEREAS, this tremendous accomplishment by the Warriors is a tribute to Coach Bill Hooper's talent and ability and the result of much hard work and long hours of practice, backed by team spirit and the will to win, on the part of every member of the team; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily congratulate Cherokee County High School on their State Track Title with merited commendation for outstanding achievement.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Principal Jerald W. Cardin for appropriate school display and a copy also to Coach Bill Hooper on behalf of his entire team.

On motion of Mr. Waldrop, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Fine offered the following Senate Joint Resolution, to-wit:

S. R. 18. EXTENDING BEST WISHES AND GRATITUDE TO JAKE JORDAN ON HIS RETIREMENT.

WHEREAS, State government in Alabama has been blessed with expert fiscal advice from Mr. James V. Jordan for many years; and

WHEREAS, "Mr. Jake" began his service to the state in the treasurer's office before World War II, and served his country during the war as a Marine Corps sergeant in the South Pacific; and

WHEREAS, After the war Jake Jordan resumed his career with the state as Assistant Budget Officer, and was promoted to Budget Officer in 1946; and

WHEREAS, As Budget Officer during the tenure of ten governors, Mr. Jake's expertise in the area of Government finance was widely recognized, winning for him election to the presidency of the National Association of Budget Officers in 1953; and

WHEREAS, He has been of invaluable assistance to hundreds of legislators during his long career, both as Budget Officer and as Legislative Fiscal Officer, a position he has held since 1975; his booming voice, his steel-trap mind, and his ready wit will long be remembered by his countless friends, both on Goat Hill and over the state; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That we wish for Mr. Jake Jordan many years of continued good health and happiness in his retirement; his shoes will be hard to fill.

BE IT FURTHER RESOLVED That we extend to him our deepest gratitude for his many years of expert service to the Legislature and the people of Alabama.

BE IT FURTHER RESOLVED That a copy of this resolution be presented to Mr. Jordan and to the Legislative Fiscal Office.

On motion of Mr. Fine, said Resolution was adopted by the Senate.

Mr. Owen offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. MOURNING THE DEATH OF MR. WALTER HAMMOND, PROMINENT BALDWIN COUNTY BUSINESSMAN AND CIVIC LEADER.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama notes the death of Mr. Walter Hammond on July 18, 1978, at the age of 81; and

WHEREAS, Mr. Hammond, affectionately known as "Pop" to the citizens of Baldwin County, was the second generation owner of Hammond's Supermarket which was founded by his father in 1906 as a general merchandise store and which is today a landmark in Robertsdale; and

WHEREAS, active in the business from an early age, Pop Hammond opened Hammond's Supermarket in 1960 in Robertsdale's first shopping center and as the first "self service" food store in the deep South; and

WHEREAS, from his pioneer father, Pop Hammond inherited his enthusiasm, love and interest for the community of Robertsdale; he was active in community affairs as a member of several civic organizations, through his service on many committees and boards throughout his adult life and as a member of the Robertsdale City Council from 1924 to 1928 and again from 1940 to 1944; and

WHEREAS, Mr. Hammond had also been lauded on numerous occasions by his community in appreciation of his efforts on their behalf and, most recently, by naming a wing of the South Baldwin County Hospital in his honor; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do grievously mourn the death of Mr. Walter "Pop" Hammond of Robertsdale, Baldwin County, Alabama, and extend our most heartfelt sympathy, not only to his family, but to his many friends and fellow citizens who are sorely bereaved in their loss.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his son, Walter Hammond, Jr., and his daughter, Lois Hammond Abercrombie, that they may know of our concern for them in their time of deep sorrow.

On motion of Mr. Owen, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Waggoner, McCorquodale, Gafford, Falkenburg and Armstrong:

H. J. R. 5. EXPRESSING THE CONCERN OF THE ALABAMA LEGISLATURE, AND WISHING JAN BIDDLE A SPEEDY RECOVERY FROM SURGERY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Gilmore, the Rules were suspended and the Resolution, H. J. R. 5, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION RECONSIDERED

On motion of Mr. Gilmore, the Senate reconsidered the vote by which the Resolution, S. J. R. 13 was adopted.

And said Resolution was then referred to the Standing Committee on Rules.

RECESS

At 5:25 P.M., Mr. Owen moved that the Senate take a recess until 6:30 P.M., at which time the Message of His Excellency, the Governor, will be delivered in Joint Session and further moved that at the completion of the Joint Session, the Senate adjourn until Tuesday, August 1, 1978, at 6 o'clock P.M., which motion was adopted.

JOINT SESSION

At 6:30 P.M., in accordance with Joint Resolution heretofore adopted, the Senate assembled in the Hall of the House of Representatives for the purpose of hearing the message of His Excellency, the Governor, Honorable George C. Wallace.

The Session was called to order by Lieutenant Governor Beasley, Presiding and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, the Honorable George C. Wallace was escorted to the chair and delivered his address to the Legislature of Alabama.

ADJOURNMENT

The purpose of the Joint Session having been accomplished, at 7 o'clock P.M., in accordance with motion heretofore adopted, the Senate adjourned until Tuesday, August 1, 1978, at 6 o'clock P.M.

SECOND LEGISLATIVE DAY

TUESDAY, AUGUST 1, 1978

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Mark E. Waldo, Rector, Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

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JOURNAL

On motion of Mr. Owen, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

U. W. CLEMON,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clemon, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Owen, leave of absence was granted Mr. Mitchell for today.

RESOLUTIONS

Mr. Perry offered the following Senate Joint Resolution, to-wit:

S. J. R. 20. Concerning the Island of Cyprus

WHEREAS, for over six decades through two world wars and an intense civil war to hold back communism, Greece has been a fighting ally and friend of the United States, and is now an indispensable ally and the symbol of democratic government in the Balkans and Eastern Europe; and

WHEREAS, Greece is essential to the security of the United States and the Free World in the Mediterranean area and is essential for the safeguarding of the American Sixth Fleet in the Mediterranean; and

WHEREAS, Turkey has attacked, seized and continues to occupy 40 percent of the independent island nation of Cyprus, by illegal use of United States supplied military weapons in violation of the United States Foreign Assistance and Military Sales Acts, and in violation of the Charter of the North Atlantic Treaty Organization and the Charter of the United Nations, and in repeated and flagrant violation of four United Nations Resolutions including unanimous United Nations General Assembly Resolution 3212; and

WHEREAS, Turkey since its illegal invasion continues to colonize with Turkish nationals the occupied 40 percent of Cyprus in violation of the Geneva Convention and international law; and

WHEREAS, the humanitarian crisis on Cyprus, involving two hundred thousand Cypriot refugees continues; and

WHEREAS, President Carter has declared that United States foreign policy shall be committed to the rule of law and to the protection of human rights; and

WHEREAS, the President has proceeded to withdraw United States aid from nations which have persisted in violations of human rights; now, therefore,

RESOLVED, That the Legislature of the State of Alabama, both Houses thereof concurring, urges the President and the Congress of the United States to exert their best efforts towards a just resolution of the Cyprus conflict in accordance with normally accepted principles of democratic government, to effectuate a removal of all foreign troops from Cyprus, to restore the two hundred thousand suffering Cypriot refugees to their homes, and to restore to the people of Cyprus the right of self-determination and their independence, sovereignty and territorial integrity; and,

BE IT FURTHER RESOLVED, That the President and the Congress of the United States should give generous support to the Cypriot refugees, and to continue to support Greece by annual aid authorizations and to continue the embargo on arms to Turkey until such time as Turkey is in compliance with our laws, the NATO Charter, the UN Charter, UN General Assembly Resolution 3212, and there is an agreed settlement to the Cyprus conflict; and,

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to the President of the United States, to the presiding officer of each House of Congress of the United States, and to each Senator and Representative from the state of Alabama in the Congress of the United States that they may be apprised of the sense of this body.

Which was read and referred to the Standing Committee on Rules.

Messrs. Goodwin, Shelby, Perry, Noonan, King, Powell, Adams, Gilmore, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Higginbotham, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Owen, Pearson, Peden, Perloff, Proctor, Roberts, St. John, Stewart, Teague, Vacca, Waldrop and Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 21. MOURNING THE DEATH OF JESSE EUGENE LANIER, FORMER LONGTIME MAYOR OF BESSEMER, ALABAMA.

WHEREAS, the Legislature of Alabama has grievously noted the death of Jesse Eugene Lanier in Birmingham, Alabama, on June 20, 1978, at the age of 69; and

WHEREAS, Mr. Lanier, a native of Lauderdale County, served as mayor of Bessemer, Alabama, for nearly two decades, having been first elected in 1956 in a special election to fill the vacancy created by the death of Mayor Jap Bryant; he was to win the post four more times without a runoff, serving for a total of 18 years until 1974 at which time he chose not to run for re-election; and

WHEREAS, during his tenure, the City of Bessemer tripled in size, city departments were upgraded and the citizens of Bessemer saw the face of their city change through urban renewal and new building construction; under the mayor's leadership, a new hospital, five new schools, a municipal golf course, three fire stations, a new police building and a new street department building all became realities, both monuments to progress and to the outstanding abilities and dedication to duty of Jesse Lanier, one of our state's most outstanding public servants; and

WHEREAS, Jesse Lanier attended grammar and high schools in Decatur, was a graduate of Southern Military Academy in Greensboro and also attended both Birmingham Southern and Auburn Universities; during his school years, he lettered in football, baseball and basketball and later played semi-professional baseball for Decatur in the B-line League; and

WHEREAS, prior to public service, Mr. Lanier owned both a radio station and finance company in Bessemer and was president of the Bessemer Broadcasting Company; following his mayoralty, he served as lobbyist for the Alabama Road Builders Association; and

WHEREAS, active in civic affairs, Mayor Lanier served as chairman of the Board of Trustees of the Crippled Children's Clinic and Hospital; he was a Shriner, was elected Potentate of Zamora Temple in 1966 and also was an active and participating member of the First United Methodist Church of Bessemer; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret and are grievously saddened by the death of Jesse Eugene Lanier; we further extend our most heartfelt sympathy to his wife, Mrs. Odyce Virginia Lanier, and to their son and daughter, Jesse Lanier, Jr., and Mrs. Odyce Virginia Millsap, to whom copies of this resolution shall be sent as evidence of our shared sorrow in their great loss.

On motion of Mr. Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Goodwin:

S. 90. A bill to be known as the "Deceptive Trade Practices and Consumer Protection Law," defining certain words and phrases; creating an Office of Consumer Protection and delegating authority and prescribing

responsibilities for that office; creating a Consumer Advisory Board; authorizing the Office of Consumer Protection and the Office of the Attorney General to receive federal funding; delegating authority to and prescribing responsibilities for the Attorney General; establishing and prohibiting unlawful trade practices; providing for the promulgation and interpretation of rules and regulations; providing for exemptions from this Act; authorizing the Attorney General to restrain prohibited acts and to seek other relief; providing for the powers of receivership; providing for private actions; providing for assurances of voluntary compliance; authorizing the Attorney General to investigate for prohibited acts; issue subpoenas and hold hearings; providing for service and enforcement of investigative demands; providing penalties; providing for the jurisdiction of the Act; establishing a statute of limitations; and providing for appropriations to the Office and Consumer Protection.

Committee on Judiciary.

By Mr. Teague:

S. 91. To require all of the right, title and interest of the State of Alabama in and to the real property acquired by and in the name of the State of Alabama for the use and benefit of the state educational institution formerly known as Jacksonville State College at Jacksonville, Alabama, is hereby conveyed to and vested in Jacksonville State University, the body corporate created by Act No. 239, Regular Session 1967, approved August 16, 1967.

Committee on Finance and Taxation.

By Mr. Mims:

S. 92. To exempt the Lions Club of Grove Hill, Alabama, from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 2. Relative to appointing a committee to notify the Governor that the Legislature is now in session.

Also:

H. J. R. 3. Relative to a Joint Session of the House and Senate at 6:30 P.M. on July 31, 1978, for the purpose of hearing address of the Governor and appointing a committee to wait upon the Governor and escort him to the House.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a

quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORTS OF COMMITTEES

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owen:

S. 63. Proposing an amendment to the Constitution of Alabama providing further for the procedure for the enactment of bills raising revenue.

The above Bill was read a second time at length as required by the Constitution.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owen (With Amendments):

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Goodwin and Perry:

S. 50. To conditionally appropriate the sum of five million dollars to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

By Messrs. Peden, Fine, Gilmore, Waldrop, St. John, McDonald (A) and Clemon:

S. 2. To provide further for the distribution of payments in lieu of taxes made to the state by the Tennessee Valley Authority.

By Messrs. Owen and Mims:

S. 70. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

By Messrs. Peden, Waldrop, Gilmore, Powell, St. John, Clemon and Teague:

S. 1. To appropriate two hundred fifty million dollars (\$250,000,000) from the Alabama Special Educational Trust Fund, over a designated period, for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical educa-

tion, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide how said monies shall be spent by the state board of education and the Alabama Commission on Higher Education.

By Messrs. Jones and Fine:

S. 42. To amend Section 1 and 2 of Act No. 679, S. 601 of the 1978 Regular Session, approved May 1, 1978, which act provides salary increases for certain state employees, so as to include certain persons classified as clerk-stenographer II and IV.

By Messrs. Teague, Powell, Fine, Perloff, Owen, Proctor and Peden:

S. 21. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Perry (With Substitute):

S. 85. To reorganize the Public Service Commission by providing for an increase in the membership of said commission; to prescribe geographical districts for members of the Commission; and to prescribe terms of office, compensation and procedure for election of the members and requires the Public Service Commission to hire an executive director and certain other specialized personnel necessary to transform it into a highly structured regulatory commission.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Owen:

S. 69. To provide that anyone convicted of the felonies of murder, rape or armed robbery and incarcerated by the state shall be held in maximum security detention and shall not be assigned to prison farms or to work release centers and activities.

By Messrs. Foshee, Owen and Fine:

S. 34. To provide further for the establishment of rates of payment for electrical energy produced by companies regulated by the Public Service Commission.

By Messrs. Foshee, Owen and Fine:

S. 35. To amend Section 40-18-20 of the Code of Alabama 1975, relating to a state income tax exemption for military retirement benefits so as to provide further for such exemption.

By Mr. Foshee:

S. 36. To amend Section 11 of Act No. 584, H. 426 of the 1978 Regular

Session, approved April 27, 1978, which section sets the number of session days for the various counties, so as to eliminate a duplication for Geneva County.

By Messrs. Foshee and Owen:

S. 89. Proposing an amendment to the State Constitution to authorize the Governor, by Executive Order, to freeze at the present level or to roll back to any level existing at any time during the six month period immediately preceding said Executive Order, any utility rate or rates established by the Alabama Public Service Commission for a period of up to one year, and to provide that this amendment shall be self-executing.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Owen:

S. 73. To appropriate one million dollars (\$1,000,000.00) to the state highway department from the state general fund as an emergency appropriation to be used to repair roads and bridges in Baldwin County damaged by the torrential rains and floods on the 26th day of July, 1978.

By Messrs. Owen and Shelby:

S. 67. To amend Section 1 of Act No. 600, H. 1134, 1977 Regular Session (Acts 1977, p. 805), as amended, relating to pay increases for certain law enforcement officers, so as to provide a pay increase beginning October 1, 1978, for law enforcement officers employed by the Department of Mental Health.

By Mr. Mims:

S. 52. To exempt the Grand Chapter of the Order of the Eastern Star of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

By Mr. Ellis:

S. 17. To amend section 16-25-1 and 16-25-21, Code of Alabama 1975, which relate to the state teachers' retirement system, so as to redefine the term "teacher" to include employees or officers of the American Federation of Teachers, and providing for certain contributions into the system, thereby allowing such persons to participate in the state teachers' retirement system.

By Messrs. Ellis and Vacca:

S. 16. To amend Sections 32-1-1, 32-5-64, and 32-12-20, Code of Alabama 1975 so as to define a motorized bicycle and to provide that a motorized bicycle be treated as a separate and unique form of motor vehicle.

By Mr. Powell:

S. 39. To appropriate from the Special Educational Trust Fund the sum of \$12,000,000.00 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama.

By Mr. Little:

S. 26. To direct the Alabama Historical Commission to erect a monu-

ment on the state capitol grounds in Montgomery, Alabama, in honor of Senator James B. Allen, to appropriate certain money to carry out the purpose of this act.

By Messrs. Ellis and Vacca:

S. 19. To define motorized bicycles, to prescribe the licensing procedure and allocation of license fees, to apply certain rules of the road and safety requirements and to require no insurance for the operation of such motorized bicycles.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owen (with notice and proof) (With Substitute):

S. 64. To regulate the expense allowances in the Twenty-Eighth Judicial Circuit for district judges; and to provide for retroactive effect.

Mr. St. John, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. St. John:

S. 80. To amend Section 4 of Act No. 594, H. 308, 1978 Regular Session, entitled, "An Act To provide for the qualifications and selection of jurors; to provide for a master list, master jury box and trial court box; to provide for qualification forms and the questionnaires to be used thereon; and to repeal Sections 12-16-2, 12-16-4, 12-16-37, 12-16-39, 12-16-41, 12-16-42, and 12-16-43 of the Code of Alabama 1975," so as to provide further for the exact date for emptying and refilling the master jury boxes.

Mr. St. John, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Waldrop (With Substitute):

S. 14. To amend Section 4 of Act No. 594, H. 308 of the 1978 Regular Session, which section relates to the maintenance by the jury commission of a master jury box and master list for each county, so as to change the month in which the master jury box must be emptied and refilled.

Mr. St. John, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Noonan:

S. 77. To provide the manner corporations not of a business nature may amend or alter their charters.

Mr. King, Chairman of the Standing Committee on Constitution and Elections, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pearson, Clemon, Roberts, Ellis, Mims, Fine, Perloff, Peden, McDonald (A), Gilmore, Owen, Foshee, St. John, Waldrop, Powell, King, Bank, Vacca, Goodwin and McMillan:

S. 15. To propose and provide for the submission of an amendment to Section 110 of the Constitution of Alabama of 1901.

The above Bill was read a second time at length as required by the Constitution.

By Mr. McDonald (A):

S. 81. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 do not have to be republished.

Mr. Bank, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwin:

S. 48. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

By Mr. Goodwin:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

Mr. Gilmore, Chairman of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Foshee and Wilson:

S. 13. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of 1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

By Mr. Fine:

S. 4. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt car pools and van pools from regulation by the public service commission and municipalities.

By Mr. McDonald (A):

S. 7. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt car pools and van pools from regulation by the Public Service Commission and municipalities.

Mr. Mims, Chairman of the Standing Committee on Agriculture, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mims:

S. 54. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and facilities when such businesses come within the same circumstances.

By Messrs. St. John and Fine:

S. 79. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and farming facilities when such businesses come within the same circumstances.

Mr. Baker, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson (with notice and proof):

S. 8. Relating to Walker County; to amend Sections 3, 4, 9 and 10 of Act No. 356, S. 502, 1971 Regular Session, approved August 19, 1971 (Acts 1971, p. 652), which provides for the construction, maintenance and repair of public roads and bridges in Walker County, so as to earmark ninety-five percent of all revenue received by the Walker County Commission from the coal severance tax provided for in Act No. 598, H. 643, 1977 Regular Session (Acts 1977, p. 799) for use in the maintenance and construction of roads in Walker County effective October 1, 1978; so as to divide funds in the county road and bridge fund equally among the commission districts of the county; and, so as to make certain powers vested in the county engineer subject to the approval of a majority of the members of the county commission.

By Mr. Little (with notice and proof):

S. 23. Relating to Tallapoosa County; providing further for the hunting and taking of raccoons and opossums in said County.

By Mr. Little (with notice and proof):

S. 24. Relating to Tallapoosa County; further regulating the trapping of fur-bearing animals in said county and prescribing penalty for enforcement.

By Mr. Teague (with notice and proof):

S. 22. Relating to Calhoun County; providing that the members of the

county board of education shall be elected only by the qualified electors of Calhoun County who reside within the school districts served by said board.

By Mr. Owen (with notice and proof):

S. 57. To amend the title and Section 3 of Act No. 581, S. 641, Regular Session 1977 (Acts 1977, p. 773) relating to Baldwin County and providing for a more convenient and economical system of serving notices to delinquent taxpayers so as to relieve the tax collector of duties relating to service of notice to delinquent taxpayers and provide for the county commission to pay all advertising costs for notices required by said act and publication of notice of sale by the tax collector.

By Mr. Owen (with notice and proof):

S. 59. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

By Mr. Owen (with notice and proof):

S. 72. Relating to Baldwin County; providing further for an additional expense allowance for the tax assessor and the tax collector.

By Mr. Owen (with notice and proof):

S. 71. Relating to Baldwin County; providing for the fixing of a fee for the issuance of a pistol permit by the sheriff; providing for the disposition and use of such fees; and giving this act retroactive effect.

Mr. Baker, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owen (with notice and proof) (With Substitute):

S. 61. To repeal Act No. 582, H. 170, Regular Session 1975 (Acts 1975, p. 1325), approved on October 1, 1975, which act provides for the construction, maintenance and repair of roads and bridges in Washington County under the county unit system.

Mr. Baker, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Owen (with notice and proof):

S. 74. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

By Mr. Adams:

S. 86. Relating to the 36th Judicial Circuit; providing for an increase in salary supplement for the circuit judge of said circuit.

Mr. Baker, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones (with notice and proof) (With Substitute) (With Amendment):

S. 41. To revise existing bail practices in the courts within the Fifteenth Judicial Circuit, and allows persons charged with certain offenses to be released on their recognizance and to assure that such persons, regardless of their financial status or social status, shall not needlessly be detained pending their appearance at trial when detention serves neither the ends of justice nor the public interest; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clemon (with notice and proof):

S. 83. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

By Mr. Ellis (with notice and proof):

S. 44. To authorize and provide for the incorporation in Jefferson County of public corporations for the purpose of promoting the industrial development of the county and municipalities therein and particularly the development and commercial use of the inland waterways in such county through the acquisition and preparation of suitable wharves, docks, warehouses, and other port and related facilities, including roads, railroads, pipelines, conveyors, and facilities suitable for use as manufacturing plants, industrial plants, and leasing or letting such buildings, structures, or facilities; to provide for the appointment and compensation of directors of any such authority; to provide for the powers, authorities and duties of any such authority and its board of directors; specifically to authorize any such authority to acquire, construct, operate, improve and finance wharves, docks, warehouses, and other port and related facilities, and specifically to apply to the

United States Foreign Trade Zones Board for permission to establish, operate and maintain a foreign trade zone and, if such permission is granted, then to establish, operate and maintain such a foreign trade zone; to confer on such authority the power of eminent domain; to provide for the issuance by any such authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any facilities or other property of such authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to regulate and provide further for the issuance of, security for (including the pledge of certain revenues and properties to the payment thereof), and use of the proceeds of such securities; to provide for refunding of such securities; to provide that such securities issued and contracts entered into by any such authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any port facilities or other property to any such authority; to exempt the property and income of any such authority, all securities issued by such authority and the income from such securities, and all conveyances, leases, mortgages and deeds of trust to which such authority is a party, from all taxation in the state, including license and excise taxes, levied by any county, municipality, or political subdivision of the state; to exempt such authority from payment of certain charges to judges of probate; to exempt every authority from certain tort liability; and to provide that certain employees of such authority shall be subject to and covered by any merit or civil service system applicable to the employees of the county and municipality by which the incorporation of the authority was authorized if there is such a system applicable to the employees of both the city and county, and, if there is no such system, then to either the county or municipal system, which the authority selects; and to provide for the dissolution of any such authority and the disposition of its property.

Mr. Mitchell, Chairman of the Standing Committee on Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Powell:

S. 38. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

ADJOURNMENT

At 7:20 P.M., on motion of Mr. Owen, the Senate adjourned until Wednesday, August 2, 1978, at 9 o'clock A.M.

THIRD LEGISLATIVE DAY
WEDNESDAY, AUGUST 2, 1978

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Julian Talley, Pastor, First Independent Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

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JOURNAL

On motion of Mr. Foshee, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

U. W. CLEMON,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clemon, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment on the Board of Trustees of the Alabama A. & M. University.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

Done this 31st day of July, 1978.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Mrs. Frankie F. Smith, Mobile, Alabama, as a member on the Board of Trustees of the Alabama A. & M. University.

Respectfully,

GEORGE C. WALLACE,
Governor.

Done this 31st day of July, 1978.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Trustees of Alabama A. & M. University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment on the Board of Trustees of the Alabama A. & M. University.

Respectfully submitted,

HENRY B. STEAGALL, II,
Executive Secretary.

Done this 31st day of July, 1978.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Mr. Harry L. Pennington, Huntsville, Alabama, as a member of the Board of Trustees of the Alabama A. & M. University.

Respectfully,

GEORGE C. WALLACE,
Governor.

Done this 31st day of July, 1978.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Trustees of Alabama A. & M. University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment on the Alabama Educational Television Commission.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

Done this 31st day of July, 1978.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed Mr. Harold N. Stinson, Tuscaloosa, Alabama, subject to your confirmation, as a member of the Alabama Educational Television Commission for the term expiring June 25, 1987.

Respectfully,
GEORGE C. WALLACE,
Governor.

Done this 31st day of July, 1978.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Educational Television Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment on the Board of Trustees of The University of North Alabama.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

Done this 31st day of July, 1978.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed Mr. Laney L. West, Russellville, Alabama, subject to your confirmation, as a member of the Board of Trustees of the University of North Alabama.

Respectfully,

GEORGE C. WALLACE,
Governor.

Done this 31st day of July, 1978.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Trustees of the University of North Alabama, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment on the Board of Trustees of the University of North Alabama.

Respectfully submitted,

HENRY B. STEAGALL, II,
Executive Secretary.

Done this 31st day of July, 1978.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, James L. Hunt, Tusculum, Alabama, as a member of the Board of Trustees of the University of North Alabama for the term expiring September 9, 1987.

Respectfully,

GEORGE C. WALLACE,
Governor.

Done this 31st day of July, 1978.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Trustees of the University of North Alabama, was read and referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Ellis (with notice and proof):

S. 93. Relating to counties with populations of 400,000 or more, to amend Section 22 of Act no. 248, H. 580, 1945 Regular Session (Acts of 1945, p. 376) as amended, relating to a civil service system, so as to change the procedure for appeal in such system, and to provide for trial de novo in circuit court.

Committee on Local Legislation No. 2.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 93, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Pearson (with notice and proof):

S. 94. To amend Title 12, Charter 19, Section 93 of the Code of Alabama 1975, so as to revise and establish fees and allowances paid to constables; to repeal conflicting statutes or provisions thereof; to provide for an effective date.

Committee on Local Legislation No. 2.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 94, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. St. John:

S. 95. To provide for county law libraries in each county, and for the personnel, space, funding, operation, and maintenance thereof, making said law libraries part of a loose network with the other law libraries in the state for their mutual benefit; permitting present county law libraries to come under the provisions of this act if they elect to do so.

Committee on Finance and Taxation.

By Mr. Owen (with notice and proof):

S. 96. To repeal Act No. 582, H. 170, Regular Session 1975 (Acts 1975, p. 1325), approved on October 1, 1975, which act provides for the construction, maintenance and repair of roads and bridges in Washington County under the county unit system.

Committee on Finance and Taxation.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 96, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING

The Bill:

S. 89. Proposing an amendment to the State Constitution to authorize the Governor, by Executive Order, to freeze at the present level or to roll back to any level existing at any time during the six month period immediately preceding said Executive Order, any utility rate or rates established by the Alabama Public Service Commission for a period of up to one year, and to provide that this amendment shall be self-executing.

was taken up.

Mr. Edwards offered the following amendment to the Bill, S. B. 89, to-wit:

AMENDMENT TO S. B. 89

Amend Senate Bill No. 89, Page 1, Lines 11, 25, by inserting "electrical" before the word "utility"

and on Page 2, lines 5 & 6 by inserting "electrical" before the word "utility".

Which was lost.

Yeas 9; Nays 15.

Yeas:

Messrs. Baker, Edwards, Fine, Gilmore, Higginbotham, Jones, King, McDonald (A), Peden.

—9

Nays:

Messrs. Bank, Clemon, Ellis, Foshee, Little, McMillan, Mims, Noonan, Owen, Perloff, Powell, Roberts, Shelby, Stewart, Waldrop.

—15

And said Bill, S. B. 89, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 4.

Yeas:

Messrs. Bank, Ellis, Foshee, Goodwin, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop.

—21

Nays: Messrs. Edwards, Fine, McDonald (A), Peden.

—4

The Bill:

S. 64. To regulate the expense allowances in the Twenty-Eighth Judicial Circuit for district judges; and to provide for retroactive effect.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, S. B. 64, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 64

A BILL
TO BE ENTITLED
AN ACT

To regulate the expense allowances in the Twenty-Eighth Judicial Circuit for district judges; and to provide for retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. Each district judge of the Twenty-Eighth Judicial Circuit shall be entitled to receive an expense allowance in an amount equal to 90% of the expense allowance paid by such county to the circuit judges of said circuit, payable in monthly installments out of the general funds of the county comprising the Twenty-Eighth Judicial Circuit. Such expense allowance shall be in addition to any and all other salary or compensation payable to such judge by the State of Alabama, but shall be in lieu of any and all other expense allowances heretofore payable to such judge by the county comprising the circuit.

Section 2. The expense allowances provided hereinabove shall be payable retroactively to January 16, 1978.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, S. B. 64, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 83. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last of any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Gilmore, Goodwin, Higginbotham, Jones, Little, McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

—25

Nays:

—0

The Bill:

S. 44. To authorize and provide for the incorporation in Jefferson County of public corporations for the purpose of promoting the industrial development of the county and municipalities therein and particularly the development and commercial use of the inland waterways in such county through the acquisition and preparation of suitable wharves, docks, warehouses, and other port and related facilities, including roads, railroads, pipelines, conveyors, and facilities suitable for use as manufacturing plants, industrial plants, and leasing or letting such buildings, structures, or

facilities; to provide for the appointment and compensation of directors of any such authority; to provide for the powers, authorities and duties of any such authority and its board of directors; specifically to authorize any such authority to acquire, construct, operate, improve and finance wharves, docks, warehouses, and other port and related facilities, and specifically to apply to the United States Foreign Trade Zones Board for permission to establish, operate and maintain a foreign trade zone and, if such permission is granted, then to establish, operate and maintain such a foreign trade zone; to confer on such authority the power and eminent domain; to provide for the issuance by any such authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any facilities or other property of such authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to regulate and provide further for the issuance of, security for (including the pledge of certain revenues and properties to the payment thereof), and use of the proceeds of such securities; to provide for refunding of such securities; to provide that such securities issued and contracts entered into by any such authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any port facilities or other property to any such authority; to exempt the property and income of any such authority, all securities issued by such authority and the income from such securities, and all conveyances, leases, mortgages and deeds of trust to which such authority is a party, from all taxation in the state, including license and excise taxes, levied by any county, municipality, or political subdivision of the state; to exempt such authority from payment of certain charges to judges of probate; to exempt every authority from certain tort liability; and to provide that certain employees of such authority shall be subject to and covered by any merit or civil service system applicable to the employees of the county and municipality by which the incorporation of the authority was authorized if there is such a system applicable to the employees of both the city and county, and, if there is no such system, then to either the county or municipal system, which the authority selects; and to provide for the dissolution of any such authority and the disposition of its property.

was taken up.

Mr. Clemon offered the following amendment to the Bill, S. B. 44, to-wit:

AMENDMENT TO S. B. 44

Amend S. B. 44 by deleting the first 9 sentences of Section 6 and inserting in lieu thereof the following:

"Section 6. Board of Directors. Each authority shall be governed by a board of directors. All powers of the authority shall be exercised by the board or pursuant to its authorization. The board shall consist of nine directors, who shall be appointed for staggered terms as hereinafter provided. The positions on the board shall be numbered from one to nine inclusive. The initial term of office of the members of the board in positions one, two and three shall begin immediately upon their respective appointments and shall end at 12:01 o'clock, a.m., on the second anniversary date of the filing for record of the

certificate of incorporation of the authority. The initial terms of office of the directors in positions numbered four, five and six shall begin immediately upon their respective appointments and shall end at 12:01 o'clock, a.m., on the third anniversary date of the filing for record of the certificate of incorporation of the authority. The initial terms of office of the directors in positions numbered seven, eight and nine shall begin immediately upon their respective appointments and shall end at 12:01 o'clock, a.m., on the fourth anniversary date of the filing for record of the certificate of incorporation of the authority. Thereafter, the term of office of each such director shall be four years. Directors for all positions shall be appointed as follows: three by the Jefferson County Commission, (Places 1, 2, and 6), three by the City of Birmingham City Council, (Places 3, 4, and 7), one by the Mayors of the cities of Jefferson County other than Birmingham, (Place 5), one by the Senate Delegation of Jefferson County, (Place 8), and one by the House Delegation of Jefferson County, (Place 9)."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Gilmore, Goodwin, Higginbotham, Jones, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Peden, Perloff, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

—25

Nays:

—0

And said Bill, S. B. 44, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Gilmore, Goodwin, Higginbotham, Jones, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Peden, Perloff, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

—25

Nays:

—0

The Bill:

S. 57. To amend the title and Section 3 of Act No. 581, S. 641, Regular Session 1977 (Acts 1977, p. 773) relating to Baldwin County and providing for a more convenient and economical system of serving notices to delinquent taxpayers so as to relieve the tax collector of duties relating to service of notice to delinquent taxpayers and provide for the county commission to pay all advertising costs for notices required by said act and publication of notice of sale by the tax collector.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Jones, King, Little, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 59. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, King, Little, Mims, Mitchell, Owen, Peden, Perry, Powell, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 72. Relating to Baldwin County; providing further for an additional expense allowance for the tax assessor and the tax collector.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Gilmore, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 71. Relating to Baldwin County; providing for the fixing of a fee for the issuance of a pistol permit by the sheriff; providing for the disposition and use of such fees; and giving this act retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Ellis, Fine, Foshee, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, St. John, Shelby, Stewart, Teague, Vacca, Wilson.

—25

Nays:

—0

The Bill:

S. 61. To repeal Act No. 582, H. 170, Regular Session 1975 (Acts 1975, p. 1325), approved on October 1, 1975, which act provides for the construction, maintenance and repair of roads and bridges in Washington County under the county unit system.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, S. B. 61, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 61

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 582, H. 170, Regular Session 1975 (Acts 1975, p. 1325), approved on October 1, 1975, which act provides for the construction, maintenance and repair of roads and bridges in Washington County under the county unit system, if approved by the electorate.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 582, H. 170, Regular Session 1975 (Acts 1975, p. 1325), approved on October 1, 1975, entitled, "An Act Relating to Washington County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Washington County," is hereby repealed.

Section 2. This act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of Washington County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution, and shall be held on the same day as the next general election of state and county officers next following final passage of this act. Notice of the election shall be given by the judge of probate of Washington County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows:

"Do you favor the local law repealing Act No. 582, H. 170, Regular Session 1975 (Acts 1975, p. 1325), approved on October 1, 1975, which act provides for the construction, maintenance and repair of roads and bridges in Washington County under the county unit system? Yes () No ()." If a majority of the votes cast at the election are affirmative votes, this act shall be in full force and effect immediately thereafter. If a majority of the votes cast are in the negative, the act shall have no further effect. The judge of probate of Washington County shall certify the results of the election to the Secretary of State and to the State Highway Director immediately after the returns have been certified.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, except as herein otherwise provided.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Stewart, Vacca, Wilson.

—25

Nays:

—0

And said Bill, S. B. 61, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Fine, Gilmore, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Peden, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 74. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Jones, King, Little, Mims,

Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 86. Relating to the 36th Judicial Circuit; providing for an increase in salary supplement for the circuit judge of said circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Fine, Foshee, Gilmore, Goodwin, Jones, King, Little, MdDonald (S), McMillan, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, Shelby, Teague, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 41. To revise existing bail practices in the courts within the Fifteenth Judicial Circuit, and allows persons charged with certain offenses to be released on their recognizance and to assure that such persons, regardless of their financial status or social status, shall not needlessly be detained pending their appearance at trial when detention serves neither the ends of justice nor the public interest; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, S. B. 41, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 41

A BILL TO BE ENTITLED AN ACT

To revise existing bail practices in the courts within the Fifteenth Judicial Circuit; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

Be It Enacted by the Legislature of Alabama:

ARTICLE I

DEFINITIONS—MISCELLANEOUS LAW REGULATING BAIL—FIFTEENTH JUDICIAL CIRCUIT

Section 1. Definitions:

The following terms when used in this Act shall have the following meaning:

(a) "Bail Agent", as used in and with regard to the provisions of this Act, in any person or persons who are employed by a bail bond company which is qualified and engaged in the bail business in the Fifteenth Judicial Circuit and whose duties for such bail bond company is to execute bail or make arrests for such company.

(b) "Surety Commission", as used in and with regard to the provisions of this Act is those persons so designated in this Act to accept and approve bail agents applications for licensing purposes.

Section 2. Qualification for Property Bail In The Fifteenth Judicial Circuit.

The qualifications for property bail in the Fifteenth Judicial Circuit of the State of Alabama are that each must be a resident of the State of Alabama, and a householder therein, and that such property pledged must be worth, exclusive of all encumbrances and homestead exemptions existing against said property, twice the amount expressed in the undertaking. Any proper approving officer, in approving property bail, may allow more than one person to justify severally as bail in amounts less than that expressed in the undertaking, provided the whole be equivalent to two sufficient bails. Such worth shall not be determined by the assessed value of said property or properties, but shall be calculated, determined, and evaluated in the manner set forth in the affidavit described below. Said affidavit shall be signed by the owners of said properties and said affidavit shall be the same as a lien or a mortgage against the said property, and upon the rendition of a final forfeiture, the State or its subdivision may proceed on such document for foreclosure of said property. The following shall be substantially the form to be used for said affidavit:

AFFIDAVIT

STATE OF ALABAMA
COUNTY OF _____
or
CITY OF _____
vs.

Court _____
City/County _____
Charges: _____

Name of property owners: _____ Address: _____
_____ Address: _____

LIEN AND AFFIDAVIT OF PROPERTY OWNERS—BAIL

STATE OF ALABAMA
COUNTY OF _____

Before me, the undersigned authority, personally appeared _____, who first by me being duly sworn on oath, deposes and says:

That he possesses the qualifications and is sufficient to become a surety and that he is the owner of the following described property, and that he pledges said property as collateral for the above named defendant and his bail:

Surety L.S. _____
Surety L.S.

SWORN TO AND SUBSCRIBED before me at _____,
Alabama on this the ____ day of _____, 19 ____.

Approving Officer or Judge

Section 3. Qualification of Bail Bond Companies in the Fifteenth Judicial Circuit.

Each person, company or corporation engaged in the business of making bonds and charging therefor, within the Fifteenth Judicial Circuit of Alabama, except corporate sureties which are qualified through the State Department of Insurance to do a bonding business in this State, shall be required, as part of qualification to do business, to furnish a bond with corporate surety authorized to act as surety on bonds in this State, in the amount of Twenty-Five Thousand and No/100 (\$25,000.00) Dollars, to be approved by the Probate Judge of Montgomery County; or said person, company or corpo-

ration may provide the said Twenty-Five Thousand and No/100 (\$25,000.00) Dollars qualification bond by depositing Twenty-Five Thousand and No/100 (\$25,000.00) Dollars in cash in a trust account in a bank within the Fifteenth Judicial Circuit. Whether said qualification bond is a cash bond or a surety bond, such shall be approved by the Probate Judge of Montgomery County, and shall be conditioned to guarantee the payment of all sums of money that may be due to the State of Alabama or any of its political subdivisions by virtue of any judgment absolute being rendered against said person, company or corporation as surety on said bond or bonds; or any court or approving officer within the Fifteenth Judicial Circuit may, in taking bail, in lieu of the foregoing, allow a corporation, foreign or domestic, qualified through the State Department of Insurance to do a bonding business in this State and authorized to execute the undertaking of bail, to execute such bail.

Section 4. Transfer or Mergers—When Allowed.

Each person, company or corporation who is qualified to do a bonding business within the Fifteenth Judicial Circuit and who is so qualified by a trust agreement, cash deposit, certificate of deposit, or other cash form of surety bond prior to this Act becoming law, may, in order to meet the requirements as set out by this Act, transfer, add to or merge such funds or monies from such deposit, trust, certificate of deposit or other, to a new trust account so long as the whole amount of the new trust agreement is the total sum of Twenty-Five Thousand and No/100 (\$25,000.00) Dollars and so long as such transaction is approved by the Probate Judge of Montgomery County. When such transaction is completed and approved by the Probate Judge of Montgomery County, then the new trust account shall be subject to the payment of all sums of money that may be due to the State of Alabama or to any of its political subdivisions thereof by virtue of any judgment absolute being rendered against said person, company or corporation, as surety on said bond or bonds, whether said bonds were executed prior to such transfer or whether such bonds were executed after completion of such transfer.

Section 5. Transfer or Mergers—When Prohibited.

Any person, company, or corporation which is qualified by cash deposit, certificate of deposit, trust agreement, or other cash surety bond, according to the law and prior to this Act becoming law, shall be prohibited from transferring or merging such cash deposit, certificate of deposit, trust agreement, or other surety cash deposit, to or with any other cash deposit, certificate of deposit, trust agreement, or other surety cash deposit of any other person, company or corporation other than itself in order to meet the requirements as set out in this Act.

Section 6. Release of Cash Surety Deposit.

The Probate Judge of the Fifteenth Judicial Circuit of Alabama, may issue an order to the bank which has the surety trust account, cash deposit, certificate of deposit, or other surety cash deposit as so provided under the law prior to this Act becoming law, and also, which was made or is to be made under the provisions of this Act, to release the balance of all monies in said trust account to the surety of the said trust account, provided the Probate Judge has received a "letter of certification" from the Clerk of the Circuit Court, Clerk of the District Court, and Clerk of the Municipal Court within the Fifteenth Judicial Circuit certifying that they have researched the records of their respective offices and that they do certify that the surety has no outstanding liability as surety on bail(s), and that there are no unsatisfied judgments outstanding against said surety pending in their offices. This

section applies to persons, companies and corporations which no longer desire to continue to execute bail and charge therefor within the Fifteenth Judicial Circuit. Letters of certification, as so mentioned in this Section, do not apply to persons, companies or corporations who merely transfer, add to, or merge such trust accounts which were established under the law prior to this Act becoming a law, which such funds in trust to meet the requirements of this Act at the time of such transfer, addition or merger.

Section 7. Transfer of Bail from District Court to Circuit Court Within the Fifteenth Judicial Circuit of Alabama.

Bail, which is returnable to the District Court within the Fifteenth Judicial Circuit, in felony cases, shall be transferred to the Circuit Court of the Fifteenth Judicial Circuit in cases where the defendant on bail is "bound over to the Grand Jury"; and such bail shall remain in effect and the liability of the principal and the surety of such bail shall continue throughout the trial of the case in the Circuit Court and from term to term till discharged by law; unless the penal sum of the bail is increased by law, then the surety is discharged by law and new bail must be executed.

ARTICLE II

LICENSING PROCEDURES AND APPROVAL OF BAIL AGENTS

Section 1. Surety Commission.

The presiding Circuit Court Judge, the presiding Criminal Circuit Court Judge, the presiding District Court Judge, and presiding Municipal Court Judge of the City of Montgomery, and a person which shall be appointed by the Governor of the State of Alabama, shall comprise what is to be known as the Surety Commission of Montgomery County, Alabama. The presiding Circuit Court Judge, the presiding Criminal Circuit Court Judge, the presiding District Court Judge, and the presiding Municipal Court Judge of the City of Montgomery shall serve on the Commission so long as they are in office. The chairman of the Commission shall be that person appointed by the Governor of Alabama. The chairman's term of office shall be for six years. At the end of six years, and from term to term thereafter, the Governor shall appoint a person as chairman of the Commission, or he may reappoint a person already serving as the chairman of the Commission.

Section 2. Duties of Surety Commission.

The duties of the Surety Commission shall be to approve or disapprove bail agents applications. The Commission shall have the duty of screening and investigating persons who make application for a bail agent's license. At least three members of the Commission must approve an application for an applicant before such person may purchase a bail agent's license from the Probate Court. There shall be no compensation or salary for the members of the Surety Commission, but the Commission shall pay any expenses incurred by its members.

Section 3. Qualifications of Bail Agents.

The Commission may consider the applications, letters of recommendation, and other sources which reflect on the character and reputation of the applicant. The Commission shall see that each applicant possesses the following qualifications.

- (1) Is twenty-one years of age.

(2) Is a citizen of the United States.

(3) The applicant's character and reputation in the community shall be equivalent to that which is expected of a law enforcement officer.

(4) Has not been convicted of a felony.

(5) Has not been convicted of a crime of violence.

Section 4. Approval Time.

The Surety Commission must either approve or disapprove the bail agent's application within thirty (30) days from the time the application was filed with the Chairman of the Commission. The Chairman of the Commission may extend the time of consideration of such application for another thirty (30) days provided the person making such application has not been a resident of the Fifteenth Judicial Circuit for the past five years.

Section 5. Final Approval or Disapproval.

Upon the rendering of a decision of the Surety Commission, the Surety Commission Chairman shall render to the applicant a letter stating that the applicant has been approved or disapproved. If the applicant is disapproved, then the Chairman shall state in such letter the reason for the disapproval.

Section 6. Action for Disapproval.

The Surety Commission shall have very broad discretion in its consideration of any person's application for a bail license. The Surety Commission's decision shall be final and there is no means of appeal. Any applicant who is disapproved by the Surety Commission may make another application to the Surety Commission but such application cannot be made within one year from the date of the previous decision by the Surety Commission.

Section 7. License.

Each and every person employed as a bail agent by a bonding company in the Fifteenth Judicial Circuit shall purchase a license from the Probate Judge of Montgomery County, Alabama. Each license issued hereunder shall expire annually on the last day of December, unless revoked or suspended prior thereto by the Surety Commission. There shall be a fee of Twenty-Five and No/100 (\$25.00) Dollars per license, per year. The license shall not be issued to the person or applicant until the licensing officer receives a letter of approval from the Chairman of the Surety Commission.

Section 8. Prohibition of Person Acting as Bail Agent.

No person shall act in the capacity of a bail agent for a bonding company in the Fifteenth Judicial Circuit or perform any of the functions, duties, or powers of the same, unless that person shall be licensed by the Probate Judge of Montgomery County, Alabama, and approved by the Surety Commission.

Section 9. Application.

Any person who wishes to act as a bail agent shall make an application to the Surety Commission on an application form provided by the Probate Judge of Montgomery County. The Chairman of the Surety Commission shall inform the Probate Judge as to what information the Commission desires on the application and the Probate Court shall pay for the cost of such application. The Chairman of the Surety Commission shall accept all bail agent

applications from persons so applying. All bail agents applications shall have a letter of recommendation from the bonding company who desires to employ him and an application fee of One Hundred and No/100 (\$100.00) Dollars attached to the said application before the Chairman of the Surety Commission shall accept the application.

Section 10. Commission Expenditures.

The Surety Commission shall have the authority to use and expend monies collected from application fees as it sees proper, so long as such expenditures are disbursed according to law.

Section 11. Revocation.

The Surety Commission shall have the authority to revoke any bail agent's license which engages in any of the following activities:

(1) Pay a fee or rebate, or to give promise to give anything of value to a jailer, policeman, peace officer, clerk, deputy clerk, any other employee of any court, district attorney, or any of his employees, or any person who has power to arrest or to hold any person in custody.

(2) Pay a fee or rebate or to give anything of value to an attorney in bail matters, except in the defense of an act on a bond, or as counsel to represent such bondsman, his agents or employees.

(3) Pay a fee or rebate, or to give promise to give anything of value to a person on whose bond he is surety.

(4) Coerce, suggest, aid and abet or threaten any person on whose bond he is surety or offers to become surety, to induce to commit any crime.

(5) The Surety Commission shall revoke any license of a bail agent which is convicted of a felony while a licensed bail agent.

Section 12. Notice Before Suspension.

Before any license shall be revoked or suspended, the Chairman of the Surety Commission shall give notice of its intention to do so by Registered Mail, to the licensee, and shall set a date not less than thirty (30) days from the date of the mailing of such notice, when the licensee and a duly authorized representative of the bonding company may appear to be heard. Such notice shall constitute temporary suspension of license. In the conduct of such hearing, the Chairman of the Surety Commission or any of its members shall have the power to administer oaths, require the appearance of witnesses, and examine any person under oath and require the production of books, records, or papers relevant to the inquiry upon his own initiative or upon the request of the licensee. Upon the termination of such hearing, the findings shall be reduced to writing and the same shall be filed in the office of the Chairman of the Commission and a notice of the findings shall be sent by Registered Mail to the licensee and the bonding company concerned.

Section 13. Appeal of Revocation.

Any person aggrieved by an act of revocation by the Commission under the provisions of this Act may appeal therefrom within thirty (30) days after receipt of notice thereof to the Circuit Court of Montgomery County by writ of certiorari and upon giving bond with surety or sureties and in such penalty as shall be approved by the Circuit Clerk of Montgomery County, conditioned that such appellant shall pay all costs of appeal in the event such appeal is not

prosecuted successfully. The said Circuit Court shall have the jurisdiction to hear said appeal and render its decision in regard thereto.

Section 14. Unlawful Bail.

It shall be unlawful for any approving officer of bail within the Fifteenth Judicial Circuit of Alabama to approve property or professional bail which does not conform with this Act. This Act does not prohibit the taking of cash bail or personal recognizance bail as so prescribed in the Code of Alabama, 1975.

Section 15. Act Applicable to Municipalities.

Any and all parts of this Act applies to all municipalities within the Fifteenth Judicial Circuit of Alabama.

Section 16. Exception Clause.

Any person or persons who were so employed by a bail bond company in the Fifteenth Judicial Circuit prior to this Act becoming law shall be exempt from obtaining a bail agent's license as mentioned in this Act for ninety (90) days after this Act becomes law.

Section 17. Effective Date of Surety Commission.

The Governor of the State of Alabama shall appoint the Chairman of the Surety Commission within thirty (30) days after this Act becomes law and the Surety Commission shall begin its duties within fifteen (15) days after such appointment.

Section 18. Severability.

The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration will not affect the part which remains.

Section 19. Repeal.

Title 13, Section 125 (75c) of the 1958 Recompiled Code of Alabama is hereby repealed. All laws or parts of laws which conflict with this Act are hereby repealed as to the Fifteenth Judicial Circuit.

Section 20. Effective Date.

This Act shall become effective immediately upon its passage and approval by the Governor of the State of Alabama, or upon otherwise becoming a law.

The Standing Committee on Local Legislation No. 1 then reported the following amendment to the substitute for the Bill, S. B. 41, to-wit:

AMENDMENT TO
COMMITTEE SUBSTITUTE FOR SENATE BILL 41

Amend Senate Bill 41 substitute on page 7, Article III, Section 1, line 10 by striking the words: "and presiding Municipal Court Judge of the city of Montgomery" and inserting in lieu thereof the following: "and the District Attorney of the 15th Judicial Circuit"

Further amend on page 7, Article III, Section 1, line 23 by adding the following: "The Commission or its members shall be defended in any litiga-

tion brought against them, while acting in their official capacity, shall be defended by the District Attorney of the 15th Judicial Circuit. Any city, county, state or federal government or its agencies may appropriate, grant or disperse funds to the Commission."

Which was adopted.

And said substitute, as thus amended, was then adopted by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, Little, Mitchell, Owen, Pearson, Peden, Perloff, Powell, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, S. B. 41, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Goodwin, Jones, Little, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Peden, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 8. Relating to Walker County; to amend Section 3, 4, 9 and 10 of Act No. 356, S. 502, 1971 Regular Session, approved August 19, 1971 (Acts 1971, p. 652), which provides for the construction, maintenance and repair of public roads and bridges in Walker County, so as to earmark ninety-five percent of all revenue received by the Walker County Commission from the coal severance tax provided for in Act No. 598, H. 643, 1977 Regular Session (Acts 1977, p. 799) for use in the maintenance and construction of roads in Walker County effective October 1, 1978; so as to divide funds in the county road and bridge fund equally among the commission districts of the county; and, so as to make certain powers vested in the county engineer subject to the approval of a majority of the members of the county commission.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Peden, Perloff, Perry, Powell, St. John, Stewart, Teague, Vacca, Wilson.

—25

Nays: —0

The Bill:

S. 23. Relating to Tallapoosa County; providing further for the hunting and taking of raccoons and opossums in said County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, Little, McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Powell, Proctor, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

S. 24. Relating to Tallapoosa County; further regulating the trapping of fur-bearing animals in said county and prescribing penalty for enforcement.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Jones, Little, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

S. 22. Relating to Calhoun County; providing that the members of the county board of education shall be elected only by the qualified electors of Calhoun County who reside within the school districts served by said board.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Perry, Powell, Proctor, Roberts, St. John, Stewart, Teague, Waldrop, Wilson.

—25

Nays: —0

The Bill:

S. 85. To reorganize the Public Service Commission by providing for an increase in the membership of said commission; to prescribe geographical districts for members of the Commission; and to prescribe terms of office, compensation and procedure for election of the members and requires the Public Service Commission to hire an executive director and certain other specialized personnel necessary to transform it into a highly structured regulatory commission.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 85, to-wit:

COMMITTEE SUBSTITUTE FOR SENATE BILL 85

A BILL
TO BE ENTITLED
AN ACT

To reorganize the Public Service Commission by providing for an increase in the membership of said Commission; to prescribe at large elections for members of the Commission; to prescribe terms of office, compensation and procedure for election of the members; to provide further duties and authority of the Commission; and to require the Public Service Commission to hire an Executive Director and certain other specialized personnel necessary to transform it into a highly structured regulatory Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The Public Service Commission established by Section 31-1-1 of the Code of Alabama 1975 is hereby reorganized so as to consist of five (5) members who shall be elected by the qualified electors of the state at large.

Section 2. The president and all incumbent associate members of the Commission shall continue to serve until the expiration of their current terms. Provided, however, that after the term of the current president expires, the president of the Commission shall be chosen bi-annually by a majority vote of the members elected to the Commission.

Section 3. Two (2) members of the Commission shall be elected at the general election in 1978. The two commissioners elected to places one and two shall serve for initial terms of six years. The commissioners for places three, four and five shall be elected at the general election in 1980 and shall also serve for a term of six years. Thereafter, all such commissioners shall serve for terms of six years.

Section 4. The compensation of the several associate members of the Commission shall be \$34,500 per annum and the compensation of the president shall be \$35,000 per annum.

Section 5. The Commission, under the provisions of the merit system, shall hire, in addition to the present staff, personnel including but not limited to the following: an executive director; a personnel analyst; two systems analysts; three transportation rates analysts; two transportation rates specialists; eight transportation enforcement officers; eight public utility rates

analysts; three public utility consumer representatives; officers and such accountants, attorneys, engineers, experts, inspectors, clerks and other classified employees as are necessary or expedient to carry out the duties conferred by law upon the Commission, and the salaries therefor shall be fixed according to the provisions of the merit system, Provided, however, that the president shall be the only commissioner authorized to hire an executive assistant whose duty it shall be to assist in the administration of the office of the president and whose salary shall be set by the state personnel board. The Commission shall also, by and with the approval of the Governor, have authority to employ and discharge special counsel or attorneys as it may be deemed necessary for such purpose.

Section 6. In carrying out the duties under Sections 37-2-4 or 37-4-28 of the Code of Alabama of 1975, the Commission shall determine, and shall redetermine at least annually during the construction of any facility authorized thereunder, the revenues needed to finance the construction to completion. The Commission may also, by and with the approval of the Governor, have authority to employ and discharge special counsel or attorneys as it may be deemed necessary for such purpose.

Section 7. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this act are hereby repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 4.

Yeas:

Messrs. Edwards, Ellis, Fine, Foshee, Gilmore, Jones, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Peden, Powell, Roberts, Shelby, Stewart, Vacca.

—18

Nays: Messrs. Baker, Clemon, McMillan, Pearson.

—4

And said Bill, S. B. 85, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 2.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, Little, McDonald (A), McMillan, Mims, Noonan, Owen, Peden, Powell, Roberts, Shelby, Stewart, Teague, Vacca.

—22

Nays: Messrs. Clemon, Pearson.

—2

The Bill:

S. 15. To propose and provide for the submission of an amendment to Section 110 of the Constitution of Alabama of 1901.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 5.

Yeas:

Messrs. Clemon, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, King, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Roberts, Stewart, Teague, Vacca, Waldrop.

—22

Nays:

Messrs. Bank, Edwards, Little, Powell, Shelby.

—5

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Martin, Roberts, Cross and Drake (with notice and proof):

H. 76. To amend Section 16 of Act 89, H. 234, Regular Session 1939 (Local Acts 1939, p. 47), creating the Municipal Utilities Board of Decatur so as to provide further for the procedure governing the expenditure of the funds of said board.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 76, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. McCulley (with notice and proof):

H. 54. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 54, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Crowe and Sparks (with notice and proof):

H. 50. Relating to Winston County; to provide for the disposition of the

proceeds of any coal and lignite severance tax distributed to the county by the state.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 50, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

By Messrs. Carothers, Smith (J) and Crawford (with notice and proof):

H. 56. To amend the City of Dothan Pension and Retirement System by Act No. 103, Regular Session of the Alabama Legislature approved June 18, 1953 and amended by Act No. 424, Regular Session of the Alabama Legislature approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature approved July 12, 1971; Act No. 78, Regular Session of the Alabama Legislature approved July 25, 1975; Act No. 543, 1977 Regular Session, Alabama Legislature approved May 11, 1977.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 56, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Carothers and Crawford (with notice and proof):

H. 57. To amend and re-enact Act No. 818, H. 1114, of the 1978 Regular Session, so as to provide further for the regulation of the sale of alcoholic beverages in Houston County by eliminating the requirement for a city alcoholic beverage license for the sale of spirituous or vinous liquors in said county; to provide that alcoholic beverages may be sold, served or given away by a licensee until 2:00 a.m. on Sunday morning; to further provide that there shall be no restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 57, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. McCulley (with notice and proof):

H. 52. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 52, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Waggoner (with notice and proof):

H. 58. To change the compensation of the probate judge of Shelby County, Alabama.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 58, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. McCorquodale (with notice and proof):

H. 3. Relating to Clarke County; to provide that incorporated municipalities within the county may donate public funds to the Clarke County Association for Retarded Citizens.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 3, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Clark and Robertson (with notice and proof):

H. 25. Relating to Pickens County, Alabama, authorizing payment of expense allowances to members of the county governing body.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 25, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Clark and Manley (with notice and proof):

H. 26. Relating to Greene County; authorizing compensation for clerical assistance for the Tax Assessor and Tax Collector of Greene County and providing payment of such compensation out of county funds.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 26, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Cross:

H. 35. To provide the Circuit Judge of the 36th Judicial Circuit authority to expend public funds for certain purposes in connection with his office and official duties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 76, 54, 50, 56, 57, 52, 58, 3, 25, 26, and 35. To the Committee on Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

The Bill:

S. 2. To provide further for the distribution of payments in lieu of taxes made to the state by the Tennessee Valley Authority.

was taken up.

Mr. Peden offered the following substitute for the Bill, S. B. 2, to-wit:

SUBSTITUTE FOR S. B. 2

A BILL
TO BE ENTITLED
AN ACT

To provide further for the distribution of payments in lieu of taxes made to the state by the Tennessee Valley Authority; and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

Be It Enacted by the Legislature of Alabama:

Section 1. Commencing for the fiscal year beginning October 1, 1979, twenty per cent (20%) of any payments made to the state by the Tennessee Valley Authority in lieu of taxes shall be paid back, to the counties, municipalities, within the county which are served by such federal agency, and public agencies therein where the property is located as provided herein and in fiscal years beginning after such date the percent of payments back to the counties and municipalities within the county which are served by such federal agency shall be increased ten percent (10%) each fiscal year thereafter until eighty percent (80%) of the annual receipts are so distributed annually.

Section 2. Distribution herein provided shall be made to the governing bodies of said counties. However, the Legislature may prescribe by local act other distribution within such counties to local governments and public agencies therein. Unless otherwise prescribed by local act by the legislature, the county's share of said payments shall be divided between the county and the municipalities who are served by Tennessee Valley Authority in the same proportion that the population of the served municipalities bears to the population of those who are served by Tennessee Valley Authority within the county.

Any such payments by TVA shall be distributed as follows:

(A) Eighty percent of said amount shall be distributed among the counties in the same proportion that the amount of such agency's power sales revenue generated in each county, less direct sales by such agency to industry bears to the total amount of such agency's power sales revenue generated in all counties of the state served by such agency.

(B) Ten percent of said amount shall be distributed among the counties in the same proportion that the dollar value amount of such agency's properties and reservoir lands in each county bears to the total dollar value of all such agency's properties and reservoir lands in all counties served by such agency.

(C) Ten percent of said amount shall be distributed among the counties in the same proportion that the amount of such agency's direct power sales to industry in each county bears to the total amount of such agency's power sales revenue generated in such manner in all counties of the state served by TVA.

Section 3. Any amount received by any county directly from such agency as payment in lieu of taxes shall be paid over to the state for redistribution according to the formula provided in Section 2 hereof.

Section 4. Section 28-3-74 of the Code of Alabama 1975, which relates to the disposition and use of liquor profits, is hereby amended to read as follows:

"§ 28-3-74. Disposition of net profits from proceeds of stores.

"(a) The net profits derived from the proceeds of the Alabama liquor stores in each fiscal year, including all tax levied upon the selling price of all spirituous or vinous liquors, less all cost and expense of collecting said tax, up to and including \$2,000,000.00, shall be paid out and applied as follows:

"(1) Fifty percent shall be covered into the general fund of the treasury of the state;

"(2) Nineteen percent shall be covered into the treasury of the state to the credit of the state department of pensions and security to be used and the same is hereby appropriated exclusively for old age assistance and for other purposes of the state department of pensions and security;

"(3) Ten percent shall be covered into the treasury of the state to the credit of the 67 wet counties of the state and shall be divided equally among each of said counties and shall be paid to them and shall be covered by them into their respective general funds;

"(4) One percent shall be paid into the treasury of the state to the credit of the 67 wet counties of the state and shall be divided equally among each of said counties and shall be paid to them to be used by them exclusively for the purposes of public health; and

"(5) Twenty percent shall be covered into the treasury of the state and shall be paid to the incorporated municipalities in which Alabama liquor stores are located on the following basis: Each municipality in which an Alabama liquor store is located shall receive as its percentage or portion of

said 20 percent an amount equal to the ratio of the profits earned by such municipality's Alabama liquor store or stores to the total net profits of all Alabama liquor stores.

"(b) If the net profits derived from the proceeds of said Alabama liquor stores in any such fiscal year, including all tax levied upon the selling price of all spirituous or vinous liquors, less all cost and expense of collecting said tax, shall exceed the sum of \$2,000,000.00, such excess, up to and including \$200,000.00, shall be apportioned among and paid to the several incorporated cities and towns in the wet counties in the state on the basis of the ratio of the population of each such city or town to the total population of all such cities and towns.

"Any remainder of such excess over said \$200,000.00 shall be apportioned and paid out as follows:

"(1) Ten percent of such remainder for each fiscal year thereafter shall be apportioned among and paid to the several wet counties in the state for general purposes on the basis of the ratio of the population of each such county of the population of all such counties;

"(2) Sixteen and two-thirds percent of such remainder for each fiscal year thereafter shall be apportioned among and paid to the aforesaid incorporated cities and towns in the wet counties in the state on the basis of the ratio of the population of each such city or town to the total population of such cities and towns;

"(3) Three and one-third percent of such remainder for each fiscal year thereafter shall be apportioned among and paid to such of said several cities and towns as may have one or more Alabama liquor stores therein upon the basis of the ratio of the population of each such liquor store city or town to the total population of all such liquor store cities and towns. Each and every amount received by any city or town out of said remainder shall be for general purposes;

"(4) Ten percent of such remainder shall be covered into the treasury of the state to the credit of the state department of pensions and security to be used for general welfare purposes; and

"(5) Sixty percent of such remainder for each fiscal year thereafter shall be paid to the state for general purposes.

"Populations shall be ascertained for the purposes of distribution under this subsection according to the last decennial federal census preceding commencement of the fiscal year for which distribution is to be made.

"(c) Distribution of net profits (including all taxes levied upon the selling price of spirituous or vinous liquors) under subsections (a) and (b) of this section shall be made from time to time during the fiscal year for which net profits (including all taxes levied upon the selling price of spirituous liquors) are to be ascertained according to reasonable estimates of profits (including all taxes levied upon the selling price of spirituous or vinous liquors) for such year and such amounts to be paid beneficiaries or recovered from beneficiaries at the end of the year as will net beneficiaries the correct amounts for the year prescribed for them by subsections (a) and (b) of this section. Payments to counties and municipalities will be made semiannually on or before February 1 and August 1 of each year.

"(d) The board is authorized to retain moneys withheld since July 1,

1949, and may withhold from distribution the sum of \$50,000.00 per month plus all discounts earned until such times as has been accumulated a working capital fund or reserve of \$4,000,000.00; provided, that should the ABC system cease to operate in Alabama, the funds shall be distributed to the several beneficiaries thereof on the same basis that it was withheld.

"(e) The board shall, on receipt of proof that a county has changed its status from a dry county to a wet county, accept such county as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next fiscal year of the board. The board shall, on receipt of proof of the incorporation of newly created municipality in a wet county and the population thereof, accept the municipality as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next fiscal year of the board.

"(f) No wet county which receives funds under the provisions of this section shall receive less than it received in the fiscal year beginning October 1, 1977."

Section 5. Section 28-3-181 of the Code of Alabama 1975 is hereby amended to read as follows:

"Section 28-3-181. Additional three and one-half cent tax.

"(a) Levy.—In addition to all other taxes now imposed by law and in addition to the licenses provided for by this chapter, there is hereby levied a privilege or excise tax on every person licensed under the provisions of this chapter who sells, stores or receives for the purpose of distribution to any person, firm corporation, club or association within the state of Alabama any malt or brewed beverages. The tax levied by this subsection shall be measured by and graduated in accordance with the volume of sales by such person of malt or brewed beverages, and shall be an amount equal to three and one-half cents for each 12 fluid ounces or fractional part thereof.

"(b) Collection.—The tax levied by subsection (a) of this section shall be collected by the alcoholic beverage control board in the same manner as other taxes and license fees are collected by it.

"The tax shall be added to the sales price of all malt or brewed beverages sold, and shall be collected from the purchasers. It shall be unlawful for any person, firm, corporation, club or association who is required to pay the tax in the first instance to fail or refuse to add to the sales price and collect from the purchaser the required amount of tax, it being the intent and purpose of this provision that the tax levied is in fact a levy on the consumer, with the person, firm, corporation, club or association who pays the tax in the first instance acting merely as an agent for the state for the collection and payment of the tax.

"(c) Disposition of proceeds.—The proceeds of the tax levied by subsection (a) of this section shall be distributed as follows:

"(1) One seventh of said proceeds shall be paid into the state treasury to the credit of the 67 wet counties in the state and shall be divided and distributed equally on or before the fifteenth day of each month to the said counties;

"(2) Two sevenths of said proceeds shall be paid into the state treasury to the credit of the state public welfare trust fund and shall be used for general welfare purposes. As used in this section, the phrase "general welfare purposes" means:

"a. The administration of public assistance as set out in sections 38-2-5 and 38-4-1;

"b. Services, including supplementation and supplementary services under the federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under sections 38-2-5 and 38-4-1;

"c. Services to and on behalf of dependent, neglected or delinquent children; and

"d. Investigative and referral services to and on behalf of needy persons.

"(3) The residue of said proceeds thereafter remaining shall be paid into the state treasury to the credit of the Alabama special educational trust fund and so much thereof as may be necessary for the purpose is hereby appropriated to pay the principal of and interest on bonds, not exceeding \$30,000,000.00 in aggregate principal amount, issued and sold by the public corporation known as the Alabama Trade School and Junior College Authority."

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The President and Presiding Officer of the Senate requested the sense of the Senate on the following question: "Is the Peden Substitute germane?"

On a call of the roll, the Senators responded as follows:

Yeas:

Messrs. Clemon, Ellis, Gilmore, Goodwin, Jones, Noonan, Pearson, Perloff, Powell, Roberts, Vacca.

—11

Nays:

Messrs. Baker, Bank, Edwards, Fine, Foshee, Higginbotham, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Peden, Proctor, St. John, Shelby, Stewart, Waldrop.

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Therefore, the President and Presiding Officer of the Senate ruled that the Peden substitute was out of order.

And said Bill, S. B. 2, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 6.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, King, McDonald (A), McDonald (S), McMillan,

Mims, Pearson, Peden, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop.

—25

Nays:

Messrs. Jones, Little, Mitchell, Noonan, Perloff, Powell.

—6

Mr. Peden moved that the Senate reconsider the vote by which the Bill, S. B. 2, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Mr. King requested and received unanimous consent that his name be added as co-sponsor of the above Bill.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Weeks and McNees (with notice and proof):

H. 78. Relating to Marion County; to provide an additional expense allowance for members of the county board of education.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 78, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Waggoner (with notice and proof):

H. 84. Relating to Shelby County; amending Sections 5 and 10 of Act No. 62, H. 213 of the 1977 Regular Session, which act relates to districts for fighting or preventing fires, so as to further provide for elections concerning such districts and service charges and filling vacancies on the Board of Trustees.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 84, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Hill and Greer (with notice and proof):

H. 106. Relating to Lauderdale County; to authorize the Lauderdale County Board of Education to make discretionary expenditures for Lauderdale County public school funds for certain school purposes.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 106, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Kinsey and McMillan (with notice and proof):

H. 102. To repeal Act No. 257, H. 852, 1977 Regular Session (Acts of 1977, p. 339), entitled, "An Act Relating to Baldwin County, to provide for the creation, incorporation, organization, operation, administration, and financing of one or more local public service districts within the county as public corporations so as to provide local fire fighting and prevention services; to provide for the fixing, levy and collection by such fire districts of rates, fees and charges for each service; to provide penalties for non-payment and liens upon the property within such districts; to provide for the borrowing of money and issuance of bonds and other obligations by or on behalf of such fire districts; providing that the qualified electors of any prospective fire district shall give their prior approval to the creation of any such district as well as the rates, fees, charges, bond or other indebtedness thereto in an election thereon; to provide an election procedure for such voter approval; to prescribe the organization, rights, powers and duties of such districts; to prescribe limitations on such rights and powers, and to repeal conflicting laws."

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 102, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Plaster and Edwards (with notice and proof):

H. 115. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 115, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 78, 84, 106, 102, and 115. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crawford and Sasser (with notice and proof):

H. 132. Relating to Henry County, Alabama, only; to provide for compensation and expense allowance for the Coroner of said county.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 132, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Crawford and Sasser (with notice and proof):

H. 137. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Tax Equalization of Henry County.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 137, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Jackson (F), Holley and Smith (J) (with notice and proof):

H. 147. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Babbie in Covington County, Alabama, so as to annex certain territory to the Town of Babbie, in Covington County, Alabama.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 147, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Campbell and Manley (with notice and proof):

H. 153. To repeal Act No. 232, H. 693, approved September 11, 1975, Regular Session 1975 (Acts 1975, p. 759), entitled, "An Act Authorizing the county commission of Sumter County to pay the sheriff of Sumter County a monthly expense allowance of two hundred fifty dollars (\$250.00)."

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 153, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Campbell and Manley (with notice and proof):

H. 152. Relating to Sumter County; to authorize the county commission to pay the salary of one clerk for each of the following county officers:

probate judge, sheriff, tax collector, tax assessor; such clerks to be appointed for a term and paid an amount established by the said county commission; and providing for an expiration date of such authority.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 152, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Campbell and Manley (with notice and proof):

H. 154. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Livingston, in Sumter County.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 154, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Falkenburg and Waggoner:

H. 7. To provide for appeals to the circuit court in Jefferson County from decisions of the Board of Equalization and to provide for the proceedings and procedure in the circuit court, on such appeals.

Also:

By Messrs. Holley and Ray (with notice and proof):

H. 156. Relating to Coffee County; regulating and providing for the compensation of election officers.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 156, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Falkenburg and Waggoner:

H. 8. To repeal Act No. 259, H. 530, approved June 24, 1943, Regular Session 1943 (General Acts of Alabama 1943, p. 230), as amended, entitled, "An Act To provide for appeals to the circuit court in counties having a population of 400,000 or more according to the last or any subsequent Federal census, from decisions of the Board of Equalization in such counties; and to provide for the proceedings and procedure in the circuit court, on such appeals."

Also:

By Mr. Jolly (with notice and proof):

H. 87. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Warrior, in Jefferson County, Alabama, so as to include within the corporate limits of said municipality certain additional territory.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 87, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Sonnier and Cooper (with notice and proof):

H. 20. Relating to the City of Mobile; to amend the title and Sections 2, 4 and 5 of Act No. 421, 1971 Regular Session (Acts of 1971, p. 1153), so as to provide preservation districts.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 20, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. McNair, Boles and Harrison (with notice and proof):

H. 93. Relating to Jefferson County; levying an additional 1% lodging tax to be used by the Greater Birmingham Convention and Visitors Bureau to be used for the promotion of Birmingham as a convention and visitors destination; providing that the Director of Revenue shall collect such tax.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 93, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 132, 137, 147, 153, 152, 154, 156, and 20. To the Committee on Local Legislation No. 1.

H. B.'s 7, 8, 87, and 93. To the Committee on Local Legislation No. 2.

BILLS ON THIRD READING RESUMED

The Bill:

S. 50. To conditionally appropriate the sum of five million dollars to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, Mims, Noonan, Owen, Pearson, Perloff, Powell, Proctor, Roberts, St. John, Shelby, Teague, Vacca, Waldrop.

—25

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Carter:

H. J. R. 9. OPPOSING A CONSERVATION ADVISORY BOARD PROPOSAL TO DEPRIVE LANDOWNERS OF THEIR INHERENT AND HISTORIC RIGHTS TO CONTROL TRAPPING ON THEIR OWN LAND.

WHEREAS, the Conservation Advisory Board did, at their annual mid-summer meeting, recommend the promulgation of a department of conservation regulation to require that landowners secure the permission of the department of conservation before they allow a trapper to use leghold steel traps on their lands; and

WHEREAS, trapping is one of the oldest forms of utilizing the game resources of this State; and

WHEREAS, the landowners of this great State have historically had the sole control of trapping on their own land subject only to the right of the department of conservation to set the trapping seasons and impose trapping licenses and limits; and

WHEREAS, a landowner's right to use his land unfettered by bureaucratic regulations is one of the most cherished rights in this State and nation and no one is in a better position than the landowner to know what device should or should not be used on his own land; and

WHEREAS, landowners throughout this great State have expressed outrage to the members of the legislature about this restrictive regulation proposed by the Conservation Advisory Board; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do express extreme displeasure with the recommendation of the Conservation Advisory Board that a regulation be promulgated by the director of conservation to require that a landowner secure the permission of the department of conservation before allowing trapping with leghold traps on his land and we do most strongly recommend that the Conservation Advisory Board reconsider their action in this matter before this legislature is forced to resort to legislation restricting powers of the Conservation Advisory Board.

BE IT FURTHER RESOLVED That copies of this resolution be sent to each member of the Conservation Advisory Board with the request that they give this their most serious consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 9, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration.

By Mr. Smith, (J):

H. J. R. 22. URGING POSTMASTER GENERAL WILLIAM BOLGER'S RECOMMENDATION TO THE CITIZENS STAMP ADVISORY COMMITTEE THAT A COMMEMORATIVE STAMP BE ISSUED IN HONOR OF THE RACING PIGEON.

WHEREAS, commemorative stamps issued by the United States Postal Service provide an effective means of paying high tribute to that which is truly deserving of appreciation and of praise; and

WHEREAS, the racing pigeon, a domestic breed of the species *Columba livia*, with its innate instinct capable of refinement through training, has indeed earned a place of honor in our nation's history by serving a unique and useful service to mankind; and

WHEREAS, specially bred and trained to return swiftly to its home, the pigeon was used in ancient Greece to carry news of the Olympian games; pigeons have also been used during interruption of telegraph service, to carry messages across battlefields during time of war, and today, as through the years, devotees patiently train their pigeons for competitive racing over long distances; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most respectfully urge Postmaster General William Bolger to recommend to the Citizens Stamp Advisory Committee that a commemorative stamp honoring the racing pigeon be issued by the United States Postal Service that this noble bird might be recognized for its unique service to our nation.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Postmaster General Bolger and to the Citizens Stamp Advisory Committee as well as to all members of the Alabama Congressional Delegation in Washington, D.C.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 22, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Wyatt, Barron, Plaster and Langford:

H. J. R. 7. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

WHEREAS, the deer population in Montgomery County is one of the largest in Alabama with the result that many of the farmers' crops are being destroyed each year because of the rapidly increasing growth of said population; and

WHEREAS, the State Conservation Executive Board has adopted a policy against using dogs to hunt deer in Montgomery County, a regulation with no logical basis and one which violates the property rights of the citizens of Montgomery County; and

WHEREAS, further, if such a policy is allowed to continue, surrounding counties will be adversely affected as said counties would be overrun by hunters from Montgomery County; and

WHEREAS, petitions signed by thousands of Montgomery citizens, voicing opposition to this unreasonable regulation, have been presented to the Montgomery Legislative Delegation; and

WHEREAS, said delegation desires not to be forced to change this regulation through introduction and passage of a local bill; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, AND PARTICULARLY THE MEMBERS OF THE MONTGOMERY COUNTY DELEGATION, That we call upon the State Executive Conservation Board to revise its decision on the use of dogs to hunt deer in Montgomery County.

BE IT FURTHER RESOLVED, That this body does not wish to regulate the policies of conservation with local legislation but will do so, should it become necessary.

RESOLVED FURTHER, That we request that this regulation be revised immediately and that the Montgomery County Delegation be advised on future policy changes which would affect Montgomery County.

RESOLVED FURTHER, That a copy of this resolution be sent to each member of the Conservation Advisory Board of the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 7, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 39. To appropriate from the Special Educational Trust Fund the sum of \$12,000,000.00 for the fiscal year ending September 30, 1979, to

finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop.

—29

Nays:

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The Bill:

S. 63. Proposing an amendment to the Constitution of Alabama providing further for the procedure for the enactment of bills raising revenue.

Was read a third time at length, as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 2.

Abstaining 1.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Powell, Proctor, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop.

—27

Nays: Messrs. Baker, Wilson.

—2

Abstaining: Mr. Pearson.

—1

Mr. Owen moved that the Senate reconsider the vote by which the Bill, S. B. 63, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

RESOLUTIONS

Mr. Waldrop offered the following Senate Joint Resolution, to-wit:

S. J. R. 22. COMMENDING GADSDEN TIMES STAFF WRITER, VIRGINIA BROCK, ON RECENT HONORS RECEIVED.

WHEREAS, the Legislature of Alabama has noted that Virginia Brock, Staff Writer for the Gadsden Times, is the recent recipient of two awards in this year's Alabama Press Association Better Newspaper Contest; and

WHEREAS, Miss Brock won two of the three awards—first place and

third place—presented in the “Best News Story” category for Division B which comprises all daily newspapers in the state with the exception of those in Birmingham, Mobile, Huntsville and Montgomery; entries were judged in competition with 80 papers and more than 1,300 submissions, so divided that dailies and weeklies were competing in common divisions; and

WHEREAS, superior journalism is that which responds to the public’s “right to know” and Miss Brock’s first place entry, which was one in a series, compared crime in Etowah County to that of other Alabama counties and also revealed startling statistics as to the preponderance of concealed-pistol permits issued by the sheriff’s department; her third place award was a news-photo feature showing the deterioration, fire and safety hazards which existed at a local public school; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Miss Virginia Brock of the Gadsden Times as the recipient of two Alabama Press Association awards and further direct that a copy of this resolution be sent to Miss Brock as evidence of our admiration and esteem.

On motion of Mr. Waldrop, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Roberts offered the following Senate Resolution, to-wit:

S. R. 23. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO SENATE BILL NO. 87, OF THE SECOND SPECIAL SESSION OF THE 1978 ALABAMA LEGISLATURE.

BE IT RESOLVED BY THE SENATE OF ALABAMA, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court or a majority of them, to give this body their written opinions on the following important constitutional question which has arisen concerning the pending Senate Bill No. 87, which would amend Section 3 of Act No. 4, H. 62, adopted at the 1956 Second Special Session of the Legislature of Alabama, and presented to the Legislature in the Second Special Session of the Alabama Legislature of 1978, copies of which are attached to this Resolution: Does the proposed amendment of Section 3 of Act No. 4 or Act No. 4 as so amended constitute a new local law under *Peddycoart v. City of Birmingham*, or does the amendment and Act No. 4 as so amended constitute a valid population classification enactment?

RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send five true copies of the pending Senate Bill No. 87 to the Clerk of the Supreme Court of Alabama and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

On motion of Mr. Roberts, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 70. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Pearson, Peden, Perloff, Powell, Proctor, Roberts, Stewart, Teague, Vacca, Waldrop.

—26

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Harrison, Thomas, McNair, Hopping, Trammell, Andrews and Howard (with notice and proof):

H. 92. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 92, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Sonnier (with notice and proof):

H. 21. To amend Section 5 of an act entitled "An Act to regulate the public schools of the County of Mobile," approved February 15, 1876, as last amended; so as to provide further for the filling of vacancies on the said Board of School Commissioners.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 21, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. McCulley (with notice and proof):

H. 53. Relating to Mobile County; to prohibit motor-cross racing within one-half mile ($\frac{1}{2}$) of any occupied dwelling without the written consent of the occupant of such dwelling and to provide that the violation thereof shall be a Class C misdemeanor as defined by Act 607, S. 33, 1977 Regular Session (Acts 1977, p. 812).

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 53, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Johnstone, Cooper, Younce, Glass, Kennedy, Sandusky, Buskey, Callahan and McMillan (with notice and proof):

H. 129. To fix the compensation for every district court or circuit court or grand jury bailiff in the Thirteenth Judicial Circuit and to provide for payment of a certain portion thereof by the county in which such bailiffs serve.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 129, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. McMillan (with notice and proof):

H. 138. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 138, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Wyatt and Langford (with notice and proof):

H. 69. Relating to Montgomery County; to authorize any restaurant, hotel, dining room or other such place of business having a license to sell alcoholic beverages to dispense, sell, and allow the drinking of alcoholic beverages on New Year's Eve commencing at 6:00 p.m.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 69, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Wyatt:

H. 70. To propose an amendment to the Constitution of Alabama to authorize the governing body of Montgomery County to establish and maintain firefighting districts within such county; to enter into agreements with volunteer fire departments within such county for fire protection and services; to set fees for fire protection services and to prescribe the manner of collection and distribution of such fees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 92. To the Committee on Local Legislation No. 2.

H. B.'s 21, 53, 129, 138, 69, and 70. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 70, was read a first time at length as required by the Constitution.)

RESOLUTION

Mr. Owen offered the following Senate Joint Resolution, to-wit:

S. J. R. 24. COMMENDING COACH JIM GLOVER ON HIS OUTSTANDING CAREER.

WHEREAS, the Legislature of Alabama has noted the recent retirement of Coach Jim Glover after thirty-one years as head football coach at Etowah High School; and

WHEREAS, Coach Glover came to Etowah in 1947 after coaching at Brookwood and Tarrant high schools and led his teams to undefeated seasons in 1947, 1949, 1950, 1954, 1956, 1958 and 1969; and

WHEREAS, upon his retirement as a coach, Jim Glover had an overall career record of 213-110-16; at Etowah High, he was 194-96-15; and

WHEREAS, in addition to his outstanding football record, Coach Glover led Etowah High to the state basketball championship in 1948; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily congratulate Coach Jim Glover, the "Dean of Alabama high school football coaches", on his tremendously successful and rewarding career and wish him continued success in all future endeavors.

BE IT FURTHER RESOLVED, That a copy of this resolution be pre-

sented to Coach Glover that he may know of our admiration and esteem, and a copy sent to Etowah High School.

On motion of Mr. Owen, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1. To appropriate two hundred fifty million dollars (\$250,000,000) from the Alabama Special Educational Trust Fund, over a designated period, for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide how said monies shall be spent by the state board of education and the Alabama Commission on Higher Education.

was taken up.

Mr. Higginbotham offered the following amendment to the Bill, S. B. 1, to-wit:

AMENDMENT TO S. B. 1

Amend Senate Bill No. 1 Page 3 Line 7, by striking out \$554,645.00 after the word (Phoenix City) and inserting the figure 2,554,000.00 and on line 20 strike out the figure 554,645.00 and insert the figure 3,054,000.00.

Mr. Peden moved that said amendment to the Bill, S. B. 1, be laid on the table, which motion was lost.

Yeas 9; Nays 18.

Yeas:

Messrs. Baker, Foshee, McDonald (A), Mitchell, Peden, Powell, Proctor, Teague, Waldrop.

—9

Nays:

Messrs. Bank, Fine, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (S), McMillan, Mims, Noonan, Perloff, Roberts, St. John, Shelby, Stewart, Wilson.

—18

And said amendment was then adopted by the Senate.

Yeas 22; Nays 4.

Yeas:

Messrs. Baker, Bank, Ellis, Fine, Gilmore, Higginbotham, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Peden, Proctor, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop.

—22

Nays: Messrs. Foshee, Goodwin, McDonald (A), Powell.

—4

Mr. Little offered the following amendment to the Bill, S. B. 1, as amended, to-wit:

AMENDMENT TO S. B. 1, AS AMENDED

Amend Senate Bill No. 1 Page 6 Line 18, by striking out after the word Southern Union Jr. Col., Wadley the figure: \$554,645 and insert in lieu thereof the figure \$854,645

Mr. Peden moved that said amendment to the Bill, S. B. 1, as amended, be laid on the table, which motion was lost.

And said amendment was then adopted by the Senate.

Yeas 20; Nays 1.

Yeas:

Messrs. Baker, Bank, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, Little, McDonald (A), McDonald (S), McMillan, Mitchell, Perloff, Powell, Roberts, St. John, Stewart, Vacca, Wilson.

—20

Nay: Mr. Peden.

—1

Mr. Baker offered the following amendment to the Bill, S. B. 1, as amended, to-wit:

AMENDMENT TO S. B. 1, AS AMENDED

Amend Senate Bill No. 1 Page 6 Line 15, by striking out the figure 554,645 and insert 2,554,645 and by deleting the figure on line 23

Also on page 5 line 21 change the figure from 906,765 to 2,906,765

Also on page 5 line 11 change the figure to \$2,909,716

Mr. Peden moved that said amendment to the Bill, S. B. 1, as amended, be laid on the table, which motion was lost.

Yeas 4; Nays 11

Yeas:

Messrs. Higginbotham, Little, Noonan, Perloff.

—4

Nays:

Messrs. Baker, Foshee, Goodwin, Jones, McMillan, Mims, Mitchell, Powell, Roberts, Shelby.

—11

And said amendment was then adopted by the Senate.

Yeas 15; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Fine, Foshee, Jones, Little, McMillan, Mims, Peden, Roberts, Shelby, Stewart, Teague, Wilson.

—15

Nay: Mr. Higginbotham.

—1

Mr. Mims offered the following amendment to the Bill, S. B. 1, as amended, to-wit:

AMENDMENT TO S. B. 1, AS AMENDED

Amend Senate Bill No. 1 Page 6 Line 12, by changing the figure from \$554,645 to \$854,645.

Which was adopted.

Yeas 16; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Fine, Foshee, Higginbotham, Little, McMillan, Mims, Mitchell, Noonan, Peden, Roberts, St. John, Shelby, Stewart.

—16

Nays:

—0

Mr. Mitchell offered the following amendment to the Bill, S. B. 1, as amended, to-wit:

AMENDMENT TO S. B. 1, AS AMENDED

Amend Senate Bill No. 1 Page 4 Line 17, by adding after the words Mobile County., the following:

(6) In addition to the amounts allocated in Subsections (1) and (2) above, an additional five hundred thousand dollars (\$500,000) shall be allocated to the Elba City School Board for construction of a high school in Elba.

Further amend S. B. 1, pg. 6, by deleting the figure 554,645 on line 9 and substituting in lieu thereof 750,000.

Further amend S. B. 1, pg. 6, by deleting the figure 554,645 on lines 19 & 22 and substituting in lieu thereof 950,000

Which was adopted.

Yeas 17; Nays 0.

Yeas:

Messrs. Baker, Bank, Fine, Foshee, Higginbotham, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Peden, St. John, Shelby, Stewart.

—17

Nays:

—0

Mr. Little then offered the following amendment to the Bill, S. B. 1, as amended, to-wit:

AMENDMENT TO S. B. 1, AS AMENDED

Amend Senate Bill No. 1 Page 5 Line 36, by striking out after the word Alexander City State Jr. College the figure: \$1,114,834 and insert in lieu thereof the figure: \$1,372,334

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Fine, Foshee, Higginbotham, King, Little, McDonald (A), McDonald (S), McMillan, Peden, Perloff, Powell, Roberts, St. John, Shelby, Stewart.

—18

Nays:

—0

Mr. Edwards offered the following amendment to the Bill, S. B. 1, as amended, to-wit:

AMENDMENT TO S. B. 1, AS AMENDED

Amend Senate Bill No. 1 Page 5 Line 15, by striking out 947,995 and inserting in lieu thereof: 1,447,995

Also on page 7 line 17 change the figure from \$4,500,000 to \$6,500,000.

Also on page 5 line 17 change the figure from \$1,061,089 to \$1,561,089.

Also on page 6 line 6 change the figure from 554,645 to 2,554,645.

Also on page 5 line 6 change the figure from 1,115,407 to 2,500,000.

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Jones, Little, McDonald (S), McMillan, Mims, Peden, Perloff, Powell, Proctor, Roberts, Stewart, Wilson.

—19

Nays:

—0

Mr. Little then offered the following amendment to the Bill, S. B. 1, as amended, to-wit:

AMENDMENT TO S. B. 1, AS AMENDED

Amend Senate Bill No. 1 Page 7 Line 11, by striking out after the word Auburn University the figure: \$9,000,000 and insert in lieu thereof: \$10,600,000.

Which was adopted.

Yeas 17; Nays 0.

Yeas:

Messrs. Baker, Bank, Ellis, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Owen, Peden, Perloff, Powell, Roberts, St. John, Shelby.

—17

Nays:

—0

Mr. Peden offered the following substitute for the Bill, S. B. 1, as amended, to-wit:

SUBSTITUTE FOR S. B. 1, AS AMENDED

A BILL
TO BE ENTITLED
AN ACT

To appropriate two hundred fifty million dollars (\$250,000,000) from the Alabama Special Educational Trust Fund, over a designated period, for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide how said monies shall be spent by the state board of education and the Alabama Commission on Higher Education.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. Wherever used in this Act, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise:

"Board" means the state board of education.

"Capital Improvements" means buildings containing classrooms, offices, libraries, laboratories, clinical or teaching facilities, and facilities for athletics, recreation and physical education, research facilities, and land as sites therefor, together with equipment therefor, and school buses. The term "Capital Improvements" also includes equipment to be used in buildings containing classrooms, libraries, laboratories, clinical or teaching facilities, and facilities for recreation and physical education, that are not constructed, reconstructed, purchased, altered, improved or equipped with any appropriations made pursuant to this Act.

The term "Capital Improvements" does not include textbooks, office supplies, or school supplies used by the educational institutions listed in Section 2 of this Act, or any of their personnel or students.

"Commission" means the Alabama commission on higher education.

Section 2. The state board of education and the commission on higher education are hereby authorized to use the appropriations herein made for the construction, reconstruction, purchase, alteration, improvement, and equipment of any types of Capital Improvements for public educational purposes in the state, for senior colleges and universities, junior colleges, vocational-technical institutes, and elementary-secondary school systems

and special schools, and including the cost of architectural services therefor and services rendered by building inspectors for periodic and final inspections thereof. The senior colleges and universities, junior colleges, vocational-technical institutes, and elementary-secondary school systems and special schools may use those monies appropriated to them as a result of this act to pay the interest on those funds borrowed for Capital Improvements as provided for in this act. The appropriations authorized in this Act to be paid by the Board and Commission shall be in addition to all other appropriations heretofore or hereafter authorized.

Section 3. There is hereby appropriated from the Alabama Special Educational Trust Fund of the state treasury fifty million dollars (\$50,000,000) per annum for each of the following five years: Fiscal year ending September 30, 1980, fiscal year ending September 30, 1981, fiscal year ending September 30, 1982, fiscal year ending September 30, 1983, fiscal year ending September 30, 1984. The funds hereby appropriated shall be deposited in the state treasury and shall be carried in a separate fund therein for the account of the Board and Commission and paid out, from time to time, on orders or warrants issued at the direction of the Board or Commission, pursuant to the purposes stated in Section 2 of this act, and such funds shall be used solely for those purposes and shall be allocated and expended over the five-year period by the Board and Commission in the amounts set out as follows:

(a) For the fiscal year ending September 30, 1980, fifty million dollars (\$50,000,000) for elementary-secondary school systems to be distributed by the Board as follows:

(1) One hundred thousand dollars (\$100,000) be paid to each city and county board of education.

(2) The remaining balance of the fifty million dollars (\$50,000,000) shall be allocated and distributed to city and county boards of education, pro rata, on the basis of teacher units as determined in accordance with the minimum school program for the school year 1976-1977.

(3) From the total funds received by Mobile County, pursuant to this Act, \$500,000 shall be earmarked for capital improvements, including new buildings, for educational purposes at Mt. Vernon.

(4) The entire amount allocated in Section 3, Subsections (a)(1)(2) and (b) to the Etowah County Board of Education shall be expended for a middle school in District 6 on the Rainbow City side of the Coosa River.

(5) In addition to the amounts allocated in subsections (1) and (2) above, an additional four hundred thousand dollars (\$400,000) shall be allocated to the Board of School Commissioners of Mobile County.

(b) For the fiscal year ending September 30, 1981, twenty-three million nine hundred four thousand eight hundred forty dollars (\$23,904,840), and for the fiscal year ending September 30, 1982, thirteen million eight hundred seventy-five thousand dollars (\$13,875,000), and for the fiscal year ending September 30, 1983, thirty-four million five hundred thirty-six thousand nine hundred thirty dollars (\$34,536,930), and for the fiscal year ending September 30, 1984, thirteen million eight hundred seventy-five thousand dollars (\$13,875,000) shall be allocated and distributed by the Board to the city and county boards of education in accordance with subparagraph (a) (2) of this section.

(c) The state board of education shall determine the order of priorities but such priorities shall meet the directives and amounts herein set forth.

(d) For the fiscal year ending September 30, 1981, twenty-six million ninety-five thousand one hundred sixty dollars (\$26,095,160) to vocational-technical institutes to be distributed by the Board as follows:

1. Alabama Aviation and Technical College, Ozark	\$1,004,585
2. Alabama Technical College, Gadsden	1,513,013
3. Atmore State Technical Institute	523,584
4. Harry M. Ayers State Technical College, Anniston	687,759
5. Bessemer State Technical College	1,544,160
6. John C. Calhoun State Com. Col. (Tech. Branch)	1,115,407
7. Carver State Tech. Institute, Mobile	443,716
8. J.F. Drake State Tech. Col., Huntsville	1,588,575
9. C.A. Fredd State Tech. Col., Tuscaloosa	443,716
10. Gadsden State Technical Inst., Gadsden	468,386
11. Richmond P. Hobson State Tech. College, Thomasville	588,714
12. J.F. Ingram State Tech. Inst., Deatsville	909,716
13. Theodore A. Lawson State Com. Col., Birmingham (Tech.)	1,058,260
14. Douglas MacArthur State Tech. Col., Opp	1,075,456
15. Muscle Shoals Tech. Inst., Muscle Shoals	947,995
16. Northwest Ala. State Tech. Col., Hamilton	737,117
17. N.F. Nunnelley State Tech. Col., Childersburg	1,061,089
18. Opelika State Tech. College	895,196
19. John M. Patterson State Tech., Col., Montg.	1,526,064
20. Ed E. Reid State Tech. Col., Evergreen	443,716
21. Shelton State Tech. Col., Tuscaloosa	906,765
22. Southwest State Tech. College, Mobile	1,330,834
23. Chauncey Sparks State Tech. College (Eufaula)	461,813
24. Councill Trenholm State Tech. Col. (Montg.)	549,098
25. Walker State Tech. School, Sumiton	887,430
26. George C. Wallace Tech. Div. (Dothan)	1,203,577
27. George C. Wallace Tech. Div. (Hanceville)	474,241
28. George C. Wallace Tech. Div., Selma	845,321
29. Regional Technical Institute, Birmingham	328,598
30. Talladega Adult Blind & Deaf Training Center	531,358
	<hr/> 41,558,230

(e) For the fiscal year ending September 30, 1983, fifteen million four hundred sixty-three thousand seventy dollars (\$15,463,070) to the junior colleges to be distributed by the Board as follows:

1. Alexander City State Junior College	\$1,114,834
2. S.D. Bishop State Junior College, Mobile	1,150,332
3. Brewer State Junior College, Fayette	554,645
4. John C. Calhoun State Community Col., Decatur	554,645
5. Chattahoochee Valley St. Jr. Col. (Phoenix City)	554,645
6. Jefferson Davis State Jr. College, Brewton	554,645
7. Enterprise State Jr. College, Enterprise	554,645
8. James H. Faulkner St. Jr. Col., Bay Minette	698,852
9. Gadsden State Junior Col., Gadsden	1,203,667
10. Patrick Henry State Jr. Col., Monroeville	554,645
11. Jefferson State Jr. Col., Birmingham	1,494,813
12. Theodore A. Lawson St. Com. Col., Birmingham	1,004,461
13. Northeast Ala. State Jr. Col., Rainsville	554,645
14. Northwest Ala. State Jr. Col., Phil Campbell	554,645
15. Snead State Jr. College, Boaz	698,852
16. Southern Union Jr. Col., Wadley	554,645
17. George C. Wallace Jr. Col., Dothan	554,645
18. George C. Wallace, Hanceville	554,645
19. George C. Wallace Jr. Col., Selma	1,441,519
20. Lurleen B. Wallace, Andalusia	554,645
	<hr/>
	\$15,463,070

(f) The funds allocated in subparagraphs (d) and (e) hereof shall be expended in accordance with the priorities determined by the state board of education, with the approval of the governor; provided, however, all such funds must be allocated by the end of the fiscal year ending September 30, 1983.

(g) For the fiscal year ending September 30, 1982, thirty-six million one hundred twenty-five thousand dollars (\$36,125,000) and for the fiscal year ending September 30, 1984, thirty-six million one hundred twenty-five thousand dollars (\$36,125,000) to the senior colleges and universities to be distributed by the Commission as follows:

(1) \$9,000,000 to the Board of Trustees of the University of Alabama to be used at its Tuscaloosa campus;

(2) \$9,000,000 to the Board of Trustees of the University of Alabama to be used at its Birmingham campus;

- (3) \$4,000,000 to the Board of Trustees of the University of Alabama to be used at its Huntsville campus;
- (4) \$9,000,000 to Auburn University;
- (5) \$3,000,000 to Auburn University at Montgomery;
- (6) \$6,000,000 to the University of South Alabama;
- (7) \$3,500,000 to the University of Montevallo;
- (8) \$4,500,000 to the University of North Alabama;
- (9) \$4,250,000 to Jacksonville State University;
- (10) \$3,000,000 to Livingston University;
- (11) \$4,500,000 to Troy State University;
- (12) \$5,000,000 to the Alabama Agricultural and Mechanical University;
- (13) \$5,000,000 to Alabama State University;
- (14) \$1,250,000 to Athens State College;
- (15) \$1,250,000 to the Alabama Institute for Deaf and Blind at Talladega.

(h) The funds allocated in subparagraph (g) hereof shall be allocated by the priorities determined by the Commission, with the approval of the governor; provided, however, that all such funds must be allocated by the end of the fiscal year ending September 30, 1984, and in accordance with the directives and in the total amounts set forth in this Act.

(i) Each building constructed wholly or in part with any portion of the proceeds herein shall be by competitive bidding and shall be constructed pursuant to plans and specifications approved by the Technical Staff of the Building Commission, or any agency that may be designated by the Legislature as its successor, and the costs of architectural and supervisory services shall be construed to constitute construction costs.

Section 4. Severability. In the event any section, sentence, clause or provision of this Act shall be declared invalid by a court of competent jurisdiction, that action shall not affect the validity of the remaining sections, sentences, clauses or provisions of this Act, which shall continue effective.

Section 5. Repealer. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 6. Effective Date. This Act shall become effective on January 1, 1979.

Mr. Higginbotham moved that said substitute for the Bill, S. B. 1, as amended, be laid on the table, which motion was lost.

Yeas 12; Nays 16.

Yeas:

Messrs. Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McMillan, Mitchell, Perloff, St. John, Shelby.

—12

Nays:

Messrs. Baker, Clemon, Edwards, Ellis, Gilmore, McDonald (A), Mims, Noonan, Peden, Powell, Proctor, Roberts, Stewart, Teague, Waldrop, Wilson.

—16

And said substitute for the Bill, S. B. 1, as amended, was then adopted by the Senate.

Yeas 17; Nays 12.

Yeas:

Messrs. Baker, Edwards, Ellis, Jones, King, McDonald (S), Owen, Pearson, Peden, Powell, Proctor, Roberts, Stewart, Teague, Vacca, Waldrop, Wilson.

—17

Nays:

Messrs. Fine, Foshee, Goodwin, Higginbotham, Little, McMillan, Mims, Mitchell, Noonan, Perloff, St. John, Shelby.

—12

And said Bill, S. B. 1, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 1.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Powell, Proctor, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—30

Nay: Mr. Higginbotham.

—1

Mr. Peden moved that the Senate reconsider the vote by which the Bill, S. B. 1, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Shelton and Quarles (with notice and proof):

H. 40. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to annex certain territory to the City of Anniston.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 40, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mrs. Quarles (with notice and proof):

H. 123. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 123, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Sasser (with notice and proof):

H. 118. To alter and rearrange the boundaries of the Town of Ariton, Dale County, Alabama, so as to annex and include within the corporate limits thereof, the territory hereinafter described.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 118, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Gregg, Moore (W), Smith (B), and Albright (with notice and proof):

H. 85. Relating to Madison County; to permit persons to make returns of taxable property for ad valorem tax purposes, whether real or personal, by mail or by an authorized agent.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 85, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Killian (with notice and proof):

H. 17. Relating to DeKalb County; authorizing the county commission and the governing bodies of the several incorporated municipalities in said county to make appropriations and expenditures from their respective general funds for the maintenance and support of certain rescue squads operating within said county.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 17, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Morris (with notice and proof):

H. 83. Relating to Tallapoosa County; to amend Section 1 of Act No. 487, S. 628, Regular Session 1969 (Acts of 1969, p. 948), entitled "Relating to Tallapoosa County; to regulate further the compensation and expense allowances of members of the county governing body", so as to increase the salary of the members of the county commission.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 83, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Morris (with notice and proof):

H. 86. Relating to Tallapoosa County; to provide a mileage allowance for the members of the County Board of Registrars.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 86, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Merrill, Shelton and Quarles (with notice and proof):

H. 41. To authorize Calhoun County and municipalities therein which undertake to provide public programs or services related to animal control to establish and collect necessary fees, charges and rates, and to enter contracts with other governmental or private agencies for the operation and maintenance of such programs or services.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 41, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Merrill, Shelton and Quarles (with notice and proof):

H. 42. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to include within the corporate limits of said City the following described parcels of land.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 42, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Merrill and Shelton (with notice and proof):

H. 43. Relating to Calhoun County; providing additional revenue in Calhoun County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Title 40, Chapter 26 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 43, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Merrill:

H. 44. Proposing an amendment to the constitution of Alabama which grants certain powers and authority to the governing body of the City of Anniston relating to the acquisition and development of industrial parks.

Also:

By Mr. Whatley:

H. 124. Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts for fire protection services.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 40, 123, 118, 85, 17, 83, 86, 41, 42, 43, 44, and 124. To the Committee on Local Legislation No. 1.

(The above numbered Bills, H. B.'s 44 and 124, were read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Manley, Pegues, McCorquodale, Robertson, Quarles, Mitchem, Gafford, McCulley, Plaster, Merrill, McMillan, Kinsey, Owens, Smith (M), Carothers, Crowe, Shoemaker, Campbell, Lee, Harris, Greer,

Kelley, Dial, Barron, Lutz, Drake, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Weeks, Smith (B), Riddick, McNees, Baker, Shelton, Jolly, Johnson, Jackson (F), Smith (C), Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Morris, Whatley, Crawford, Carter, Starkey, Edwards, Hill and Younce.

H. 170. To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee, as follows:

H. B. 170. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Manley, Pegues, McCorquodale, Robertson, Quarles, Mitchem, Gafford, McCulley, Plaster, McMillan, Kinsey, Owens, Merrill, Smith (M), Carothers, Crowe, Shoemaker, Lee, Campbell, Greer, Kelley, Dial, Barron, Lutz, Drake, Shelton, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Weeks, Smith (B), Riddick, McNees, Baker, Jolly, Johnson, Jackson (F), Smith (C), Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Whatley, Crawford, Carter, Starkey, Hill, Edwards and Younce:

H. 171. To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 171. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Manley, Pegues, McCorquodale, Robertson, Quarles, Mitchem, Gafford, McCulley, Plaster, McMillan, Kinsey, Smith (M), Owens, Merrill, Carothers, Crowe, Shoemaker, Lee, Greer, Dial, Barron, Kelley, Lutz, Campbell, Baker, Drake, Shelton, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Weeks, Smith (B), Riddick, McNees, Jolly, Johnson, Jackson (F), Smith (C), Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Whatley, Crawford, Carter, Starkey, Hill, Edwards and Younce:

H. 172. To provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the department of revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 172. To the Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

S. 42. To amend Section 1 and 2 of Act No. 679, S. 601 of the 1978 Regular Session, approved May 1, 1978, which act provides salary increases for certain state employees, so as to include certain persons classified as clerk-stenographer II and IV.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Foshee, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Peden, Perloff, Powell, Roberts, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—26

Nays:

—0

The Bill:

S. 21. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Foshee, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Peden, Perloff, Powell, Proctor, Roberts, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hines (with notice and proof):

H. 45. Relating to Escambia County; to provide for the compensation of the sheriff and all deputies sheriff other than the chief deputy sheriff in such county.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 45, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Merrill (with notice and proof):

H. 111. Relating to Calhoun County; relating to the license commissioner; providing that the commissioner of license shall be elected, commencing with the term of office in 1981 and setting the salary of such officer; providing for the conduct and manner of such election; and repealing the title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 111, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Merrill (with notice and proof):

H. 112. To amend and reenact Act No. 532, S. 713, 1978 Regular Session, which relates to salaries and expense allowances for certain officials of Calhoun County, so as to provide further for the salary and expense allowance of the coroner.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 112, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Ford (with notice and proof):

H. 1. Relating to the City of Gadsden, providing for the fixing and payment of salaries of members of the board of commissioners.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 1, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Manley and Pegues (with notice and proof):

H. 121. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 121, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Manley and Pegues (with notice and proof):

H. 122. Relating to Marengo County; to repeal Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which act regulates the compensation of the sheriff of said county.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 122, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Sparks and Crowe (with notice and proof):

H. 77. Relating to Winston County; to provide an expense allowance for the circuit clerk and to give this act retroactive effect to January 1, 1978.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 77, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 45, 111, 112, 1, 121, 122, and 77. To the Committee on Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

The Bill:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendments to the Bill, S. B. 56, to-wit:

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill 56 by striking Section 3.(A) sub-section 12 on page 16 lines 20-26 in its entirety and inserting in lieu thereof the following:

"Alabama Historical Commission

(a) Historical Resource Management Program

100,000

(b) Archaeological Research Program	150,000
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SOURCE OF FUNDS:

(1) ASETF	<u>250,000</u>
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Total Alabama Historical Commission	250,000	250,000"
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Further amend Senate Bill 56 by striking Section 3(A) sub-section 16 on page 19 lines 12-17 in its entirety.

Further amend Senate Bill 56 by striking Section 3(A), sub-section 22 on page 32 in its entirety and inserting in lieu thereof the following:

"22. Alabama Peace Officers Standard and Training Commission

(a) Professional and Occupational Licensing and Regulation Program	80,000
--------------------------------------------------------------------------	--------

(b) Certified Law Enforcement Academy Program	246,200
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Jacksonville State University ...	61,550
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University of Alabama	61,550
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James H. Faulkner Jr. College ..	61,550
----------------------------------	--------

Troy State University Montgomery	61,550
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SOURCE OF FUNDS:

(1) ASETF	<u>326,200</u>
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Total Alabama Peace Officers Standards and Training Commission	326,200	326,200"
----------------------------------------------------------------------	---------	----------

Further amend Senate Bill 56 by striking Section 4(B) sub-section 4 on page 39 lines 18-25 and inserting in lieu thereof the following:

"East Alabama Regional Child Development Program

(a) Financial Assistance Program	380,373
----------------------------------	---------

SOURCE OF FUNDS:

(1) ASETF	325,000
-----------------	---------

(2) Federal and Local Funds	55,373
-----------------------------------	--------

Total East Alabama Regional Child Development Program ..	325,000	380,373
----------------------------------------------------------	---------	---------

Further amend Senate Bill 56 by striking Section 7 sub-section 1 on page 86 lines 15-17 and inserting in lieu thereof the following and renumbering all following sub-sections:

"1. Dothan City Board of Education:

For Capital Outlay 115,441

2. S. D. Bishop State Junior College:

For Capital Outlay 84,559"

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill 56, page 10, subsection (j) by striking lines 11 through 17 in its entirety.

COMMITTEE AMENDMENT TO S. B. 56

Amend S. B. 56, page 38, line 29 by adding the following: "(Of the above appropriation, Fifteen Thousand Dollars (\$15,000) shall be spent for the construction of a chapel on the campus at Mount Meigs.)"

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill 56 as follows:

On page 13 in Section 3A., Subsection 6, on line 35, strike the total figure 70,000 and insert in lieu thereof 100,000

And on page 14, line 6 strike the figure and insert in lieu thereof 100,000

And on line 8, after the word "Commission" strike wherever it appears the figures "70,000" and insert in lieu thereof under each the column "ASETF" and "Total" the figures 100,000

COMMITTEE AMENDMENT TO S. B. 56

S. B. 56 is hereby amended as follows:

On page 46, line 5 by inserting the word "University" between the words "Cooperative" and "Upper";

On page 46, line 12 by inserting the word "University" between the words "Cooperative" and "Upper";

On page 69, line 10 by inserting the words "Cooperative University Upper Division" between the words "Gadsden" and "Program";

On page 69, line 21 by inserting the word "Gadsden" between the words "Total" and "Cooperative"; and

On page 69, line 22 by striking the words and punctuation marks " (formerly Gadsden Prog.)" and inserting in lieu thereof the word:

Program

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill 56 on page 77, line 12 by striking out the words "End

Stage Renal Disease" and inserting in lieu thereof the words "Human and Clinical Nutrition Program".

Further amend Senate Bill 56 on page 77, line 17 by striking out the words "End Stage Renal Disease" and inserting in lieu thereof the words "Human and Clinical Nutrition Program".

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill 56 on page 76, line 7 by striking out the figure "6,470,483" and inserting in lieu thereof the figure "6,320,483".

Further amend Senate Bill 56 on page 76, line 8 by striking out the figure "1,123,449" and inserting in lieu thereof the figure "1,073,449".

Further amend Senate Bill 56 on page 76, line 24 by striking out the figure "8,459,329" and inserting in lieu thereof the figure "8,259,329".

Further amend Senate Bill 56 on page 76, line 24 by striking out the figure "12,848,887" and inserting in lieu thereof the figure "12,648,887".

Further amend Senate Bill 56 on page 79, by striking out line 11 in its entirety and inserting in lieu thereof the following:

"16. Basic Medical Sciences:

(a) Instruction	109,323
(b) Research	20,347
(c) Libraries	16,273
(d) Academic Support	25,213
(e) Student Services	3,045
(f) Institutional Support	10,162
(g) Operations and Maintenance of Physical Plant	30,037

SOURCE OF FUNDS:

(1) ASETF	200,000		
(2) Other Sources		14,400	
Total Basic Medical Sciences	200,000	14,400	214,400
TOTAL UNIVERSITY OF SOUTH ALABAMA	22,297,388	40,120,378	62,417,766".

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill 56, Subsection I (A) 1. (a) of Section 5, page 42, by striking the figure \$22,187,787 and substituting in lieu thereof the figure \$22,687,787.

All other total figures in this bill should reflect this change.

Amend Senate Bill 56 by adding the following to Section 5, Subsection I.
A. as follows:

"14. Vocational Teacher Training:		340,057
SOURCE OF FUNDS:		
(a) ASETF	340,057	340,057
Total Vocational Teacher Training	340,057	340,057"

All other total figures in this bill should reflect this change.

COMMITTEE AMENDMENT TO S. B. 56

Amend S. B. 56, Page 18, by deleting on lines 15 and 16 "by ranks to all full-time instructors, librarians and counselors" and inserting in lieu thereof "all full time personnel" and after 1978 on line 18, deleting lines 18 thru 25.

COMMITTEE AMENDMENT TO S. B. 56

Amend S. B. 56, page 35, by deleting on lines 8 and 9 "by ranks to all full-time instructors, librarians and counselor" and inserting in lieu thereof "all full time personnel; and deleting lines 11 through 18

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill No. 56 Page 17 Line 14(1), by striking out 39,550,000 after the word ASETF and adding \$41,350,000.

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill No. 56 Page 35 Line 19, by inserting the following:

"The State Board of Education in providing equity salary adjustments as required in Act 637, Regular Session 1977, for instructors, librarians, and counselors employed as of September 1, 1978, in all technical colleges shall place all such personnel who have been employed at a technical college for at least ten (10) years at Rank IV, Step 10, of the Salary Schedule for Instructors, Librarians, and Counselors at State Community, Junior, and Technical Colleges. Those employed for at least seven (7) years but less than ten (10) years shall be placed no lower than Rank III, step 10 of the schedule; and those employed for at least four (4) years but less than seven (7) years shall be placed no lower than Rank II, Step 10 of the schedule. All credit on the salary schedule granted a teacher at the time of employment shall be used in determining placement on the salary schedule as required hereinabove."

AMENDMENT TO S. 56

On page 15, line 22, strike the figure "2,538,800" and insert in lieu thereof the following figure:

1,220,400

On page 15, line 24, strike the figure "1,725,400" and insert in lieu thereof the following figure:

407,000

On page 15, line 27, strike the figure "1,725,400" and insert in lieu thereof the following figure:

407,000

On page 15, line 27, strike the figure "3,001,230" and insert in lieu thereof the following figure:

1,682,830

Amend Senate 56 making annual appropriations for public education in Alabama by increasing the appropriation for Youth Services.

Senate Bill 56, Section 3-A-33, Page 38, Lines 22 through 29 is hereby amended to read as follows:

33. Youth Services

(a) Youth Services Program	8,906,171
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SOURCE OF FUNDS:	9,206,171
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(a) ASETF	7,221,171
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7,521,171

(b) Federal & Local Funds	<u>1,685,000</u>
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Total Youth Services	7,221,171	1,685,000	8,906,171
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	7,521,171	9,206,171
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(To be expended in accordance with Act No. 816, 1973 Regular Session)

SENATE FINANCE AND TAXATION COMMITTEE
AMENDMENT TO S. B. 56

On page 86, immediately following Section 6 on line 26, insert the following new section 7 and renumber the remaining sections accordingly:

Section 7. Two million six hundred thousand dollars (\$2,600,000) is hereby appropriated from the Alabama Special Educational Trust Fund for repair and replacement of, and equipment for, public school buildings which have been destroyed by fire or natural disaster or where there exist critical needs, such amount to be allocated as follows:

Boards of Education	School	Amount
1. Gadsden City	General Forest School	\$275,000
2. Hartselle City	Morgan County Training School	290,000
3. Lamar County	Vernon Vocational School	15,000
4. Winfield City	Winfield Vocational School	100,000
5. Midfield City	Midfield School	200,000
6. Lawrence County	Chalybeate School	240,000
7. Madison County	New Market School	125,000
8. Marshall County	Boaz Middle School	315,000
9. Mobile County	Prichard Middle School	315,000
10. Jefferson County	McAdory High School	300,000

11. Shelby County	Montevallo High School	125,000
12. Cullman County	Baileyton School	100,000
13. Tusculmbia City	Deshler Jr. High School	100,000
14. Birmingham City	Parker High School	100,000

COMMITTEE AMENDMENT TO S. B. 56

Amend S. B. 56 as follows:

On page 71, Section VII, on line 14, by striking out the number 2,999,975 and inserting in lieu thereof the number 3,399,975; amend further on line 27 by striking the number 4,975,198 and insert in lieu thereof the number 5,375,198; further amend page 71 on line 31 by striking the number 4,975,198 and inserting in lieu thereof the number 5,375,198 and, further amend line 31 by striking the number 8,858,195 and inserting in lieu thereof the number 9,258,195

Further amend SB 56 on page 72 line 27 by striking the number 5,368,554 and inserting in lieu thereof the number 5,768,554; also amend line 27 by striking the number 9,330,233 and inserting in lieu thereof the number 9,730,233.

COMMITTEE AMENDMENT TO SENATE BILL 56

TO AMEND SENATE BILL 56, SECTION 4, SUBSECTION 2, PAGE 39, LINES 5 THROUGH 9 and SUBSECTION 10, PAGE 41, LINES 5 THROUGH 9 BY DELETING BOTH SUBSECTIONS AND INSERTING THE FOLLOWING UNDER SECTION 3 PAGE 3 LINE 7:

1. COUNCIL ON THE ARTS AND HUMANITIES

(A) FINE ARTS PROGRAM

SOURCE OF FUNDS:

(1) ASETF	300,000	
(2) FEDERAL AND LOCAL		614,098

(B) BIRMINGHAM SYMPHONY

SOURCE OF FUNDS:

(1) ASETF	95,000
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(C) ALABAMA SHAKESPEARE FESTIVAL

SOURCE OF FUNDS:

(1) ASETF	<u>2,500</u>
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TOTAL COUNCIL ON THE ARTS AND HUMANITIES	397,500	614,098	1,011,598
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AMENDMENT TO SENATE BILL 56

Amend Senate Bill 56, Page 42, Line 6 by adding the following language after the words "Colleges, Universities and Schools":

"Of the funds appropriated in Section ____ herein for colleges, universities and schools listed below, no institution shall be eligible to receive appropriations provided herein unless such institution provides its employees, upon their request, payroll deduction of dues from at least seven (7) different pay periods for the local affiliate of any general incorporated statewide educator's organization or labor organization. Deduction of dues shall be made only upon written request of the employee and shall not be construed to grant any organization any bargaining rights upon behalf of the institution's employees. Deduction of dues shall not be required for any organization which serves only persons employed in a particular subject matter area or that is not affiliated with a public statewide employee organization which complies with Alabama statutes."

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill No. 56 Page 33 Line 13, by striking out 32,451,521 and insert in lieu thereof 34,251,521

AMENDMENT TO SENATE BILL NO. 56

Amend Senate Bill No. 56 Page 38 Line 29 by inserting the following

"From the appropriation hereinabove made that beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and any increments due, all teachers shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred-forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum. Additional pro rata salary increases shall be granted for teachers under ten, eleven and twelve month contracts."

COMMITTEE AMENDMENT TO SENATE BILL NO. 56

Amend Senate Bill No. 56 Page 84 Line 18 through 37 by inserting the following

"From the appropriation hereinabove made that beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and any increments due, all teachers shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred-forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum. Additional pro rata salary increases shall be granted for teachers under ten, eleven and twelve month contracts."

COMMITTEE AMENDMENT TO SENATE BILL 56

To amend Senate Bill 56, Page 5, Lines 23 and page 6 lines 1 through 12 by deleting the existing language and inserting the following:

"Of the amount appropriated above for the fiscal year ending September 30, 1979, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase."

COMMITTEE AMENDMENT TO SENATE BILL 56

To amend Senate Bill 56, Page 30, Lines 10 through 22 by deleting existing language and inserting the following:

"Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum. These increases are for teachers with one hundred eighty-day contracts. Additional pro rata salary increases shall be granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificate. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program."

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill No. 56 Page 86 after the appropriate section on burned-out schools the following:

Folsom Jr. High School—Randolph Co.—\$300,000

Shelby County—Vincent High School—125,000

COMMITTEE AMENDMENT TO S. B. 56

Amend Senate Bill 56, Page 82, Line 11 by adding a new section XI and renumber all subsequent sections to read as follows:

"Of the amounts appropriated herein above to all colleges and universities for the fiscal year ending September 30, 1979, a minimum cost-of-living salary increase of seven and one-half percent (7½%) of the 1977-78 salary shall be granted across the board to all full-time instructional personnel. These salary increases shall be granted in addition to salary now received and all merit, promotional, and other salary increments due said personnel. Persons employed for ten (10), eleven (11), or twelve (12) months shall receive

an additional pro rata salary increases. Provided, however, the provisions herein above shall not apply to any medical school except for the teaching personnel in the basic sciences."

On motion of Mr. Owen, said amendments were laid on the table.

Mr. Owen then offered the following substitute for the Bill, S. B. 56, to-wit:

SUBSTITUTE FOR S. B. 56

A BILL TO BE ENTITLED AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1979 and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 8, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Outlay" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment—Other than Automotive" shall mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment" shall mean those items of motor vehicle equipment only and the money appropriated therefore shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1979 and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 4, Chapter 4, Title 41 of the Code of Alabama 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Federal and Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the

accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 3.

A. STATE AGENCIES

1. Council on the Arts and Humanities

(a) Fine Arts Program	914,098
(b) Birmingham Symphony	95,000
(c) Alabama Shakespeare Festival	2,500

Source of Funds:

(1) ASETF	397,500		
(2) Federal and Local Funds		<u>614,098</u>	
Total Council on the Arts and Humanities	397,500	614,098	1,011,598
2. Debt Service			871,044

(a) For the payment of principal and interest due on bonds issued by the University of Alabama Research Institute pursuant to Constitutional Amendment No. CLVII211,300

(b) Interest on Endowments:

For interest on University of Montevallo (Alabama College) Endowment, Estimated ...45,000

For interest on Auburn University Endowment20,280

For interest on University of Alabama Endowment61,000

For interest on Grove Hill Endowment600

For interest on Public School Fund Endowment:

Interest on 16th Section lands, Estimated410,000

Interest on School Indemnity lands, Estimated90,000

Interest on Valueless 16th Section
lands5,825

Interest on Surplus plus Revenue
26,764

Interest on James Wallace Fund
275

Total659,744

SOURCE OF FUNDS:

(1) ASETF 871,044

Total Debt Service 871,044 871,044

3. Board of Dental Scholarship Awards

(a) Support of Other Educational
Activities Program 228,000

SOURCE OF FUNDS:

(1) ASETF 228,000

Total Board of Dental Scholarship
Awards 228,000 228,000

(To be expended under the provi-
sions of Act No. 662, 1977 Regu-
lar Session.)

4. Department of Education

(a) Financial Assistance Program 226,621,995

The proposed spending plan for the
above is as follows:

Vocational Education and Other
Financial Assistance Programs
.....48,051,317

(\$300,000 is to be used for Agribus-
iness Center)

SOURCE OF FUNDS:

(1) ASETF 48,051,317

(2) Federal and local Funds 178,570,678

Total Financial Assistance Pro-
gram 48,051,317 178,570,678 226,621,995

The appropriation hereinabove for
Vocational Education shall be
disbursed or obligated in accord-
ance with rules and regulations

approved by the State Board of Education upon recommendation of the State Superintendent.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula.

Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institution for contractual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1979, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

(b) Instructional Technical Assistance Program

7,231,665

The proposed spending plan for the above is as follows:

Civil Defense	24,200
Drug Education	181,500
Operation & Maintenance of Department	331,681
Right-to-Read	85,000
Career Education	110,000
Kindergarten Adm. ...	85,000
Minimum Program—Trainable Retarded Children ..	524,307
National Defense	399,300
Vocational Education ..	1,466,673
Alabama Learning Resource Center	60,000

SOURCE OF FUNDS:

(1) ASETF	3,267,661		
(2) Federal and Local Funds		<u>3,964,004</u>	
Total Instructional Technical Assistance Program	3,267,661	3,964,004	7,231,665
(The appropriation for Minimum Program—Trainable Retarded Children is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)			
(c) Local Agency Support Program			11,182,190

The proposed spending plan for the above is as follows:

Coordination of In-School Television	127,201
Driver Education, School Bus Driver Training and Vehicle Safety Inspection	371,289
Operation & Maintenance of Department	337,490
Testing	425,000
Developing, Printing and Publishing Legal & Policy Manuals	5,000
Free Textbooks	8,602,500
Plans & Surveys	90,150

Facilities Survey 300,000

SOURCE OF FUNDS:

(1) ASETF	10,258,630		
(2) Federal and Local Funds		<u>923,560</u>	
Total Local Agency Support Program	10,258,630	923,560	11,182,190
(d) Regulation Program			879,432

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department 349,199

Teacher Certification & Accreditation 237,000

SOURCE OF FUNDS:

(1) ASETF	586,199		
(2) Federal and Local Funds		<u>293,233</u>	
Total Regulation Program	586,199	293,233	879,432
(e) Administrative Services Program			8,478,141

The proposed spending plan for the above is as follows:

Compact for Education 20,750

Operation & Maintenance of Department 1,600,043

Telephone Revolving Fund 1,200,000

SOURCE OF FUNDS:

(1) ASETF	2,820,793		
(2) Federal and Local Funds		<u>5,657,348</u>	
Total Administrative Services Program	2,829,793	5,657,348	8,478,141
(f) Adult Basic Education Program			5,660,599

The proposed spending plan for the above is as follows:

Adult Basic Education . 1,700,000

Community Education . 100,000

Operation & Maintenance of Department 15,052

SOURCE OF FUNDS:

(1) ASETF	1,815,052		
(2) Federal and Local Funds		<u>3,845,547</u>	

Total Adult Basic Education Program	1,815,052	3,845,547	5,660,599
(g) Continuing Education Program			777,323

The proposed spending plan for the above is as follows:

Operations & Maintenance of Department

Administration of Private School Act

SOURCE OF FUNDS:

(1) ASETF70,362

(2) Federal and Local Funds

706,961

Total Continuing Education Program	70,362	706,961	777,323
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(h) Administration of Post-Secondary Vocational-Technical Education Program			9,243
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The proposed spending plan for the above is as follows:

Operations & Maintenance of Dept. 9,243

SOURCE OF FUNDS:

(1) ASETF 9,243

Total Admin. of Post-Secondary Vocational-Technical Education Program	9,243		9,243
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(i) Administration of Junior College School System Program ...			9,243
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The proposed spending plan for the above is as follows:

Operations & Maintenance of Department

SOURCE OF FUNDS:

(1) ASETF 9,243

Total Adm. of Junior College School System Program	9,243		9,243
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(j) Rehabilitation Services Program			32,839,711
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SOURCE OF FUNDS:

(1) ASETF 7,097,000

(2) Federal and Local Funds

25,742,711

Total Rehabilitation Services Program	7,097,000	25,742,711	32,839,711
(k) Hemophilia Program			300,000
SOURCE OF FUNDS:			
(1) ASETF	<u>300,000</u>		
Total Hemophilia Program	300,000		300,000
(As provided for under Act 1181, 1975 Regular Session.)			
(1) Homebound Program			2,900,000
SOURCE OF FUNDS:			
(1) ASETF	<u>2,900,000</u>		
Total Homebound Program	2,900,000		2,900,000
(The above appropriation is to be expended in accordance with Act No. 109, Third Special, 1975, ap- proved May 1, 1975.)			
(m) Disability Determination for Social Security Program			7,549,812
SOURCE OF FUNDS:			
(1) Federal and Local Funds		<u>7,549,812</u>	
Total Disability Determination for Social Security Program		7,549,812	7,549,812
(n) Crippled Children Services Program			6,742,190
SOURCE OF FUNDS:			
(1) ASETF	3,979,690		
(2) Federal and Local Funds		<u>2,762,500</u>	
Total Crippled Children Services Program	3,979,690	2,762,500	6,742,190
(o) Manpower Development and Employment			5,894,844
The proposed spending plan for the above is as follows:			
Operation & Maintenance of De- partment	17,958		
Comprehensive Employment & Training	484,000		
SOURCE OF FUNDS:			
(1) ASETF	501,958		
(2) Federal and Local Funds		<u>5,392,886</u>	
Total Manpower Development and Employment Opportunities Pro- gram	501,958	5,392,886	5,894,844

(p) Planning and Coordination Services Program		181,826
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The proposed spending plan for the
above is as follows:

Southern Regional Educational Board	181,826	
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SOURCE OF FUNDS:

(1) ASETF	<u>181,826</u>	
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Total Planning & Coordination Services Program	181,826	181,826
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(q) Support of State Universities Program		10,000
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The proposed spending plan for the
above is as follows:

Education of Dependents of Blind Parents	10,000	
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SOURCE OF FUNDS:

(1) ASETF	<u>10,000</u>	
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Total Support of State Universities Program	10,000	10,000
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For reimbursement of every State
Institution of Higher Learning,
College, University, or Trade
School or Junior College, in
which benefits are given to de-
pendents of blind parents under
the provisions of Act No. 281,
1966 Special Session.

(r) Emergency Medical Services Education Program		1,500,000
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To be distributed by the Depart-
ment of Education as follows:

(1) West Alabama Emergency Medical Services, Inc.	307,000	
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(2) Birmingham Regional Emergency Medical Services System	292,000	
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(3) North Alabama Emergency Medical Services, Inc.	277,000	
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(4) Southeast Alabama Emergency Medical Services Systems, Inc.	277,000	
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(5) East Alabama Emergency Medical Services, Inc.	227,000	
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(6) Southwest Alabama Emer- gency Medical Services Council, Inc.	120,000	
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The amounts herein appropriated shall be used for the operation and maintenance of the various medical services programs named and for the purchase of instructional supplies and new instructional equipment for such programs.

SOURCE OF FUNDS:

(1) ASETF	<u>1,500,000</u>	
Total Emergency Medical Service Education Program	1,500,000	1,500,000

TOTAL DEPARTMENT OF EDUCATION

SOURCE OF FUNDS:

(1) ASETF	83,358,974	
(2) Federal and Local Funds	<u>235,409,240</u>	
Grand Total Department of Education	83,358,974	235,409,240 318,768,214

5. Examiners of Public Accounts

(a) Legislative Support-Audit Services Program		1,000,000
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For purposes of auditing all phases of public education.

SOURCE OF FUNDS:

(1) ASETF	<u>1,000,000</u>	
Total Examiners of Public Accounts	1,000,000	1,000,000

6. Alabama Film Commission

(a) Promotional Development Program		100,000
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SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>	
Total Alabama Film Commission .	100,000	100,000

7. Alabama School of Fine Arts

(a) Fine Arts Program		941,855
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SOURCE OF FUNDS:

(1) ASETF	850,000	
(2) Federal and Local Funds		<u>91,855</u>
Total Alabama School of Fine Arts	850,000	91,855 941,855

8. Alabama Firefighters' Personnel Standards and Education Commission

(a) Professional and Occupational Licensing & Regulation Program 150,000

SOURCE OF FUNDS:

(1) ASETF 150,000

Total Alabama Firefighters' Personnel Standards and Education Commission 150,000 150,000

9. Health Department

(a) Health Support Services Program 500,000

For immunization of pre-school children and students and for public school food sanitation.

(b) For the Division of Maternal and Child Health 200,000

Provided, however, that the above appropriation shall be expended only for the development of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan is meeting Federal matching requirements.

SOURCE OF FUNDS:

(1) ASETF 700,000

Total Health Department 700,000 700,000

10. Commission on Higher Education

(a) Planning & Coordination Services Program 462,430

(b) Support of Other Educational Activities Program 1,220,400

SOURCE OF FUNDS:

(1) ASETF 407,000

(2) Federal and Local Funds 1,275,830

Total Commission on Higher Education 407,000 1,275,830 1,682,830

No salary of any employee of the

Commission shall exceed the salary paid to the State Superintendent of Education.

To be expended in accordance with Act No. 14, 1969 Special Session.

11. Alabama Board of Nursing:

(a) Professional and Occupational Licensing and Regulation Program	542,891
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SOURCE OF FUNDS:

(1) ASETF as provided in Act No. 68, 1977 Special Session. Scholarships for Graduate Nurses ...	57,000		
(2) Alabama Board of Nursing Trust Fund as provided in Title 34, Chapter 21, Code of Alabama 1975, as amended		485,891	
Total Alabama Board of Nursing .	57,000	485,891	542,891

12. Alabama Historical Commission

(a) Historical Resource Management and Archaeological Research	150,000
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SOURCE OF FUNDS:

(1) ASETF	150,000	
Total Alabama Historical Commission	150,000	150,000

13. Alabama Industrial Development Training Institute

(a) Industrial Training Program .	1,885,752
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SOURCE OF FUNDS:

(1) ASETF	1,885,752	
Total Alabama Industrial development Training Inst.	1,885,752	1,885,752

14. Junior College School System

(a) Academic Instruction and Institutional Support Program ...	69,648,063
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SOURCE OF FUNDS:

(1) ASETF	41,350,000		
(2) Federal and Local Funds		9,050,476	
(3) State Funds		245,787	
(4) Other Funds		19,001,800	
Total Junior College School System	41,350,000	28,298,063	69,648,063

For operation and maintenance of the Junior Colleges listed below to be distributed on formula adopted by the State Board of Education. \$200,000.00 to each junior college listed below. The remainder of the appropriation is to be allotted to each such junior college in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1977-78 by all such junior colleges. Continuing education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.) Of the above appropriations contained herein in Section 3, paragraph A-14 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the State junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978, and personnel shall be placed on the schedule and given credit for each year of actual employment.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received, shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

15. Alabama Law Institute

(a) Support of Other Educational Activities Program	199,000
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SOURCE OF FUNDS:

(1) ASETF	199,000	
Total Alabama Law Institute	199,000	199,000

17. Public Library Service

(a) Public Library Services Program	4,032,066
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SOURCE OF FUNDS:

(1) ASETF	2,563,000
(2) ASETF for equipment purchases for physically handicapped and blind	47,000

(3) ASETF for operation of facility	390,000		
(4) Federal and Local Funds		<u>1,032,066</u>	
Total Public Library Services	3,000,000	1,032,066	4,032,066
18. Marine Environmental Sciences Consortium			
(a) Support of other Educational Activities Program			778,750
SOURCE OF FUNDS:			
(1) ASETF	568,750		
(2) Federal and Local Funds		60,000	
(3) University of Alabama		<u>150,000</u>	
Total Marine Environmental Sciences Consortium	568,750	210,000	778,750
19. Medical Scholarships Board			
(a) Support of other Educational Activities Program			555,000
SOURCE OF FUNDS:			
(1) ASETF	<u>555,000</u>		
Total Medical Scholarship Board	555,000		555,000
(To be expended under the provisions of Act No. 663, 1977 Regular Session)			
20. Minimum Program			
(a) Financial Assistance Program			581,236,819
SOURCE OF FUNDS:			
(1) ASETF	556,560,334		
(2) Public School Fund		20,000,000	
(3) Local Effort		<u>4,676,485</u>	
Total Minimum Program Fund	556,560,334	24,676,485	581,236,819
(aa) To be distributed by the State Board of Education for:			
Local Boards	484,910,244		
Board of Adjustment Awards	150,000		
Teachers Sick Leave	3,890,178		
Teachers Personal Leave	1,296,726		
Hospital—Medical Insurance Assistance	9,427,961		
Funds to Replace Fees	10,488,225		
Maintenance	6,000,000		
Sick Leave for Support Personnel	800,000		

Additional for Special Education .	25,550,000
Salary Increases for Lunchroom Workers	7,747,000
Insurance for Support Staff	6,300,000

The Minimum Program Fund, which in accordance with the Statutes and regulations of the State Board of Education relating to the expenditure of such funds, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(bb) Of the total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-systems, and/or state-wide programs for exceptional children. In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1977-78, six hundred fifty (650) are provided for the reduction of the class size in grades 1-6. The Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1977-78 school year. In addition to the three thousand two hundred fifty (3,250) special units now provided through the minimum program, there is hereby provided the sum of 25 million, five hundred and fifty thousand dollars (\$25,550,000) to be used in the area of special education. The funds to provide for this program are included under the programmatic appropriations of Section 20 (aa) Minimum Program and the wording in this section (bb) is for explanation purposes only and is not intended to be construed to be a second funding. Of the \$25,550,000 for Special Education, \$1,422,846 shall be allocated to local boards of education and administered through the Division of Vocational Education for meeting matching requirements of Federal Legislation (P.L. 94-482) for vocational education for the handicapped. An amount approved by the State Board of Education and State Superintendent of Education may be distributed by the State Board of Education to the Alabama Institute for Deaf and Blind to implement the purposes of Act 106 and P.L. 94-142. The remaining funds of this category shall be allocated by

the State Board of Education on a formula developed by the State Superintendent of Education and his staff. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must be approved by the State Superintendent of Education before such funds are disbursed. The proposals may include, but are not limited to, any or all of the following: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be determined by the State Superintendent of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Superintendent, through his staff, shall monitor programs to assure that the purposes for which these funds are provided are carried out on the approved plan.

In addition to the above appropriation to exceptional children there is hereby appropriated \$5,000,000 which is conditional upon the condition of the Alabama Special Educational Trust Fund and upon approval of the Governor.

Three hundred eighty (380) additional kindergarten units are herewith provided for the phasing in of the kindergarten program during the specified fiscal year and shall be dispersed with the kindergarten teacher units being at least equal to the amount received by the respective local school boards during the preceding fiscal year. In addition thereto, all local school boards shall receive all kindergarten teacher units now supplied by federal funds if these programs continue to be federally funded.

(cc) Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is herein above appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. From the funds provided herein above, each local county and city board of education shall allocate to the schools in their respective systems an amount based on \$250 or \$300 for each teacher unit assigned to each school.

With each faculty member being given an opportunity for input, the faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, by majority vote, approve a budget for the school. At least one-half of this amount shall be available for each teacher for materials and supplies for that teacher's students; provided, however, any teacher may sign a waiver releasing said funds for joint purchases within the school. No board of education shall withhold from any school any funds to which they are entitled under the provisions of this Act. Based on this budget, the faculty shall recommend to the superintendent the recommended amount to be allotted to each teacher to be spent for agreed upon items and other amounts to be used for the common good of all for the operation of the instructional program within the school. The local school board shall issue requisitions for purchases from these funds and shall issue purchase orders

and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In courses not required for graduation, local schools boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided, however, such fees shall be waived for students who cannot afford to pay the fees. Any funds collected in fees shall be spent on the course for which the fee was levied. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) It is provided that in addition to all units earned by the local school system under the Minimum program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expended from local funds for teachers during the school year 1977-78 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios or that where there has been a decrease in school population to justify such reduction. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to the State Board of Education the implementation of the above provisions by December 31, 1978 and to the Legislature by the first legislative day of the next regular session.

(ee) The appropriation hereinabove made to the Minimum Program Fund provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1979.

(ff) Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance. No portion of the funds herein appropriated for employee hospital-medical insurance may be used to pay premiums for any group insurance policy that is available only to members of any private organization.

Provided, further, that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation #56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified professional employees in the amount set forth

in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

In no event shall a professional staff member be eligible for more than one hospital-medical insurance assistance allotment.

(gg) Of the appropriation hereinabove made to the Minimum Program there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per full-time support person (defined in sub-section ii) employed by any local board of education or by any school under the local board's jurisdiction to provide hospital-medical insurance assistance, provided however that only adult school bus drivers are included and coverage is not included for student school bus drivers.

Provided, further, that any employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation #56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The support personnel shall participate in the same carrier and plan selection process as the teachers within the school system; except that in no instance shall a local school board be required to approve a separate carrier and plan for support employees in addition to the carrier and plan selected by majority vote of all employees of that school board. Any funds not used in the fiscal year shall revert to the Alabama Special Education Trust Fund.

In no event shall a support staff member be eligible for more than one hospital-medical insurance assistance allotment.

(hh) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$2,204.75 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in sub-section (a) Local Boards shall include an allotment for transportation in accordance with the formula

adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$38,066,490.00.

The appropriation hereinabove set out for the fiscal year 1978-79 is based on 31,736 teacher units.

It is provided in the event there are more than 31,736 earned teacher units for the fiscal year 1978-79, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided, in the event that there be less earned teacher units than those set out above, then the amount that would have been necessary to pay for these earned teacher units shall be allotted by the State Board of Education on a formula developed by the State Superintendent of Education and his staff for teacher units to continue the phasing-in of the State kindergarten program. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

(ii) It is provided that from the appropriation hereinabove made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. These increases are for teachers with one hundred eighty-day contracts. (Additional pro rata salary increases shall be) granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificate. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

In addition to all salary now received and all local increments due for the 1978-79 school year, all full-time employees of city and county boards of education and all full-time employees in the school under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on the number of hours worked per day. All adult school bus drivers shall receive a salary increase of not less than five hundred dollars (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars (\$300) per annum and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

Each Local board of education shall have the following options as to how the salary increases shall be distributed:

- 1) Across the currently used pay periods for the school year or
 2) Across the summer months payable in equal installments.
 (jj) The \$800,000 appropriated in Section 20 (aa) is to provide sick leave for support personnel in accordance with Act No. 208, 1977 Regular Session of the Alabama Legislature.

21. Alabama Occupational Information System

(a) Employment and Social Opportunities Program	590,051
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SOURCE OF FUNDS:

(1) ASETF	200,000	
(2) Federal and Local Funds		390,051

Total Alabama Occupational Information System	200,000	390,051	590,051
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22. Alabama Peace Officers Standards and Training Commission

(a) Professional and Occupational Licensing and Regulation Program	80,000
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(b) Certified Law Enforcement Academy Programs	246,200
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Jacksonville State University	61,550
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University of Alabama ...	61,550
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James H. Faulkner Jr. Col.	61,550
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Troy State Univ. Montgomery	61,550
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SOURCE OF FUNDS:

(1) ASETF	326,200
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Total Alabama Peace Officers Standards and Training Commission	326,200	326,200
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23. Commission on Physical Fitness

(a) Advisory Services Program ...	83,000
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SOURCE OF FUNDS:

(1) ASETF	83,000
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Total Commission on Physical Fitness	83,000	83,000
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24. Post-Secondary Vocational-Technical Education System

(a) Instructional and Institutional Support Program	47,772,443
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SOURCE OF FUNDS:

(1) ASETF	34,251,521		
(2) Federal and Local Funds		815,457	
(3) Other Funds		<u>12,705,465</u>	
Total Post-Secondary Vocational- Technical Education System ...	34,251,521	13,520,922	47,772,443

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education. (The above appropriation is to be distributed to the following Vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College- Technical Division (7); Carver State Technical Institute School; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical School; (12) Theodore A. Lawson State Community College-Technical Division (13) Douglas MacArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnelley State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker County State Technical College; (26) George Corley Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville).

Of the above appropriations contained herein in Section 3 (a) (24) not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978, and personnel shall be placed on the schedule and given credit for each year of actual employment.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received, shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

"The State Board of Education in providing equity salary adjustments as required in Act 637, Regular Session 1977, for instructors, librarians, and counselors employed as of September 1, 1978, in all technical colleges shall place all such personnel who have been employed at a technical college for at least ten (10) years at Rank IV, Step 10, of the Salary Schedule for Instructors, Librarians, and Counselors at State Community, Junior, and Technical Colleges. Those employed for at least seven (7) years but less than ten (10)

years shall be placed no lower than Rank III, step 10 of the schedule; and those employed for at least (4) years but less than seven (7) years shall be placed on lower than Rank II, Step 10 of the schedule. All credit on the salary schedule granted a teacher at the time of employment shall be used in determining placement on the salary schedule as required hereinabove."

25. Social Security

(a) For State's share of Social Security, Estimated	47,249,440
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SOURCE OF FUNDS:

(1) ASETF	<u>47,249,440</u>	
Total Social Security	47,249,440	47,249,440

26. Sports Hall of Fame

(a) Historical Resources Management Program	51,894
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SOURCE OF FUNDS:

(1) ASETF	30,000		
(2) Sports Hall of Fame Operating Fund		<u>21,894</u>	
Total Sports Hall of Fame	30,000	21,894	51,894

27. Alabama Education Study Commission

(a) Advisory Services Program ...	210,000
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SOURCE OF FUNDS:

(1) ASETF	<u>210,000</u>	
Total Alabama Education Study Commission	210,000	210,000
(To be used for educational studies in accordance with Act No. 15, 1969 Special Session)		

28. Teachers' Retirement System of Alabama

(a) Retirement Systems Program, Estimated	142,396,640
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SOURCE OF FUNDS:

(1) ASETF—Teachers' Retirement System	140,297,462	
(2) ASETF—Teachers' Special Pension Fund	<u>2,099,178</u>	
Total Retirement Systems Program (State's Share)	142,396,640	142,396,640

The above appropriation shall be expended in accordance with the

statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund. Provided that any increase in the above appropriations shall be made only after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

29. State Tenure Commission

(a) Regulation Program		10,000
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SOURCE OF FUNDS:

(1) ASETF	<u>10,000</u>	
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Total State Tenure Commission ..	10,000	10,000
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30. Educational TV Commission

(a) Educational TV Services Program		2,885,500
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(b) Public Radio Service Program		195,000
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SOURCE OF FUNDS:

(1) ASETF	2,205,500	
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(2) Federal and Local Funds		<u>875,000</u>
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Total Educational TV Commission	2,205,500	875,000	3,080,500
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31. Veterans Education Benefits

(a) Administration of Veterans Affairs Program		1,350,000
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SOURCE OF FUNDS:

(1) ASETF	<u>1,350,000</u>	
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Total Veterans Educational Benefits	1,350,000	1,350,000
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The above appropriation includes pro-rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

32. John M. Will Journalism Scholarship Fund

(a) Support of other Educational Activities Program		1,000
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SOURCE OF FUNDS:

(1) ASETF	<u>1,000</u>	
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Total John M. Will Journalism Scholarship Fund	1,000	1,000
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33. Youth Services

(a) Youth Services Program		9,206,171
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SOURCE OF FUNDS:

(1) ASETF	7,521,171	
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(2) Federal and Local Funds		<u>1,685,000</u>
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Total Youth Services	7,521,171	1,685,000	9,206,171
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(To be expended in accordance with Act No. 816, 1973 Regular Session.)

(Of the above appropriation, Fifteen Thousand Dollars (\$15,000) shall be spent for the construction of a chapel on the campus at Mount Meigs.)

Section 4.

B. NON-STATE EDUCATIONAL AGENCIES:

1. American Legion Auxiliary Scholarship Fund		10,000
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SOURCE OF FUNDS:

(1) ASETF	<u>10,000</u>	
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Total American Legion Auxiliary Scholarship Fund	10,000	10,000
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(To be expended under the provisions of Act No. 676, 1978 Regular Session.)

3. Birmingham Training Center for Brain Injured Children

(a) Non-Institutional Treatment and Care Program		30,000
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SOURCE OF FUNDS:

(1) ASETF	<u>30,000</u>	
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Total Birmingham Training Center for Brain Injured Children .	30,000	30,000
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4. East Alabama Regional Child Development Program

(a) Financial Assistance Program			580,373
SOURCE OF FUNDS:			
(1) ASETF	525,000		
(2) Federal and Local Funds		<u>55,373</u>	
Total East Alabama Regional Child Development Program ...	525,000	55,373	580,373
Of the above appropriation the counties of Limestone, Jackson, Madison and Marshall shall re- ceive \$25,000 each.			
5. Environmental Quality Associ- ation			
(a) Environmental Education Pro- gram			175,000
SOURCE OF FUNDS:			
(1) ASETF	<u>175,000</u>		
Total Environmental Quality As- sociation	175,000		175,000
6. Montgomery Institute for Neurological Development			
(a) Non-Institutional Treatment and Care Program			25,000
SOURCE OF FUNDS:			
(1) ASETF	<u>25,000</u>		
Total Montgomery Institute of Neurological Development	25,000		25,000
7. Opportunities Industrialization Centers			
(a) Manpower Development and Employment Opportunities Pro- gram			175,000
SOURCE OF FUNDS:			
(1) ASETF	<u>175,000</u>		
Total Opportunities Industrializa- tion Centers	175,000		175,000
8. Sylacauga Nurses Training School			
(a) Support of Other Educational Activities Program			348,984
SOURCE OF FUNDS:			
(1) ASETF	58,000		

(2) Federal and Local Funds		17,500	
(3) Other Funds		<u>273,484</u>	
Total Sylacauga Nurses Training School	58,000	290,984	348,984
(The above includes \$18,000 for Nursing Scholarships)			
(To be expended in accordance with Act No. 2393, 1971 Regular Session.)			

9. Hall of Fame Bowl Game:

(a) Tourism and Travel Promotion	50,000
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SOURCE OF FUNDS:

(1) ASETF	<u>50,000</u>	
Total Hall of Fame Bowl Game ..	50,000	50,000

Section 5.

COLLEGES, UNIVERSITIES AND SCHOOLS

Of the funds appropriated in Section 5 herein for colleges, universities and schools listed below, no institution shall be eligible to receive appropriations provided herein unless such institution provides its employees, upon their request, payroll deduction of dues from at least seven (7) different pay periods for the local affiliate of any general incorporated statewide educator's organization or labor organization. Deduction of dues shall be made only upon written request of the employee and shall not be construed to grant any organization any bargaining rights upon behalf of the institution's employees. Deduction of dues shall not be required for any organization which serves only persons employed in a particular subject matter area or that is not affiliated with a public statewide employee organization which complies with Alabama statutes.

I. Board of Trustees of University of Alabama

A. The University

1. Operations & Maintenance, Extension, Public Service & Research:

(a) Instruction	22,187,787
(b) Transfers	833,373
(c) Libraries	1,405,171
(d) Academic Support (excl. Libr.)	4,511,867
(e) Student Services	1,558,251
(f) Institutional Support	6,550,441
(g) Operation & Maintenance of Physical Plant	5,646,479
(h) Scholarships and Fellowships	648,766
(i) Capital Outlay	1,095,259

(j) Debt Service			292,240
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SOURCE OF FUNDS:

(1) ASETF	31,323,728		
(2) Other Sources		<u>13,405,906</u>	

Total Operations & Maintenance, Extension, Public Service & Re- search	31,323,728	13,405,906	44,729,634
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2. Extension, Public Service & Research:

(a) Research			133,829
(b) Public Service			2,665,090
(c) Capital Outlay			20,720
(d) Debt Service			57,364
(e) Transfers			16,594

SOURCE OF FUNDS:

(1) ASETF	1,850,000		
(2) Other Sources		<u>1,043,597</u>	

Total Extension, Public Service, and Research	1,850,000	1,043,597	2,893,597
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3. Emergency Medical Services
Paramedic Training:

(For operation and maintenance)

(a) Public Service			125,000
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SOURCE OF FUNDS:

(1) ASETF	<u>125,000</u>		
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Total Emergency Medical Services	125,000		125,000
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4. Center for Emotionally Dis-
turbed Children:

(a) Academic Support (excl. Libr.)			472,462
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SOURCE OF FUNDS:

(1) ASETF	<u>472,462</u>		
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Total Center for Emotionally Dis- turbed Children	472,462		472,462
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5. Nursing Scholarships:

(a) Scholarships and Fellowships .			18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>		
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Total Nursing Scholarships	18,000		18,000
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6. School of Mines:

(a) Research			859,000
(b) Public Service			200,000
SOURCE OF FUNDS:			
(1) ASETF	<u>1,059,000</u>		
Total School of Mines	1,059,000		1,059,000
7. Family Practice Center:			
(a) Instruction			312,285
(b) Academic Support (excl. Libr.)			429,360
SOURCE OF FUNDS:			
(1) ASETF	<u>741,645</u>		
Total Family Practice Center	741,645		741,645
8. Alabama Museum of Natural History—Mound State Park and Archaeological Service:			
(a) Public Service			182,195
(b) Capital Outlay			6,705
SOURCE OF FUNDS:			
(1) ASETF	150,000		
(2) Other Sources		<u>38,900</u>	
Total Alabama Museum of Natural History—Mound State Park and Archaeological	150,000	38,900	188,900
9. College of Community Health Sciences:			
(a) Instruction			1,515,047
(b) Libraries			135,377
(c) Academic Support (excl. Libr.)			409,836
(d) Operation & Maintenance of Physical Plant			169,412
(e) Capital Outlay			30,314
(f) Hamilton Family Residency Program			175,000
SOURCE OF FUNDS:			
(1) ASETF	2,329,986		
(2) Other Sources		<u>105,000</u>	
Total College of Community Health Sciences	2,329,986	105,000	2,434,986
10. Auxiliary Enterprises:			
(a) Scholarships & Fellowships ..			421,679
(b) Capital Outlay			37,652

(c) Auxiliary Enterprises	10,517,791	
(d) Debt Service	1,457,481	
(e) Transfer to Plant Funds	526,900	

SOURCE OF FUNDS:

(1) Other Sources	<u>12,961,503</u>	
Total Auxiliary Enterprises	12,961,503	12,961,503

11. Restricted Funds:

(a) Instruction	6,310,584	
(b) Research	1,120,746	
(c) Public Service	934,713	
(d) Academic Support (excl. Libr.)	79,116	
(e) Student Services	102,883	
(f) Institutional Support	308,817	
(g) Operation & Maintenance of Physical Plant	138,348	
(h) Scholarships and Fellowships	795,308	
(i) Capital Outlay	347,637	

SOURCE OF FUNDS:

(1) State Funds	3,185,481	
(2) Federal Funds	5,692,671	
(3) Other Sources	<u>1,260,000</u>	
Total Restricted Funds	10,138,152	10,138,152

12. Gadsden Cooperative University Upper Division Program:

(a) Instruction	267,168	
(b) Capital Outlay	15,992	

SOURCE OF FUNDS:

(1) ASETF	193,189	
(2) Other Sources	<u>89,971</u>	
Total Gadsden Cooperative University Upper Division Program	193,189	283,160

13. Rural Infant Development Environment Program

125,000

SOURCE OF FUNDS:

(1) ASETF	<u>125,000</u>	
Total Rural Infant Development Environment Program	<u>125,000</u>	<u>125,000</u>

TOTAL UNIVERSITY OF ALABAMA	38,388,010	37,783,029	76,171,039
B. University of Alabama in Birmingham			
1. School of Medicine:			
(a) Instruction			14,013,030
(b) Research			17,975,212
(c) Public Service			5,638,999
(d) Libraries			264,132
(e) Academic Support (excl. Libr.)			1,361,489
(f) Student Services			401,368
(g) Institutional Support			2,924,249
(h) Operation & Maintenance of Physical Plant			3,596,996
(i) Scholarships and Fellowships			115,000
(j) Capital Outlay			900,000
(k) Equipment—Other than Automotive (For Cavitron Laser Machine)			70,000
(1) Training on Special Cancer Detection for Rehabilitating for Speech & Hearing Disorders ...			45,000
(m) Debt Service			724,221
(n) Hyperthermia Program			109,000
SOURCE OF FUNDS:			
(1) ASETF	16,199,000		
(2) State Funds		1,550,000	
(3) Federal Funds		22,400,000	
(4) Local Funds		550,000	
(5) Other Sources		<u>7,439,696</u>	
Total School of Medicine	16,199,000	31,939,696	48,138,696
2. Family and Other Primary Care Residency Programs:			
(a) Instruction			1,723,390
(b) Institutional Support			18,590
(c) Operation & Maintenance of Physical Plant			20,020
SOURCE OF FUNDS:			
(1) ASETF	<u>1,762,000</u>		
Total Family and Other Primary Care Residency Programs	1,762,000		1,762,000
The above appropriation shall be			

expended for residency programs
as follows:

Anniston	230,000
East End	230,000
Jefferson County	230,000
Montgomery	330,000
Mont.-Internal Medicine	220,000
Heflin	50,000
Selma	342,000
Gadsden	230,000

3. University College:

(a) Instruction	10,763,800
(b) Research	453,100
(c) Public Service	1,061,300
(d) Libraries	1,357,200
(e) Academic Support (excl. Libr.)	2,467,492
(f) Student Services	903,284
(g) Institutional Support	2,248,924
(h) Operation & Maintenance of Physical Plant	1,675,854
(i) Scholarships and Fellowships .	120,000
(j) Capital Outlay	400,000
(k) For Vocational Teacher Train- ing	125,000

SOURCE OF FUNDS:

(1) ASETF	13,452,764		
(2) Federal Funds		382,821	
(3) Local Funds		656,903	
(4) Other Sources		<u>7,083,466</u>	
Total University College	13,452,764	8,123,190	21,575,954

4. University Hospital and Clinics:

(a) Hospital	81,914,088
(b) Debt Service	2,798,000

SOURCE OF FUNDS:

(1) ASETF	5,907,000		
(2) Other Sources		<u>78,805,088</u>	
Total University Hospital and Clinics	5,907,000	78,805,088	84,712,088

5. School of Optometry:

(a) Instruction	2,111,241
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(b) Research	91,684
(c) Public Service	62,188
(d) Libraries	5,477
(e) Academic Support (excl. Libr.)	296,586
(f) Student Services	33,263
(g) Institutional Support	154,370
(h) Operation & Maintenance of Physical Plant	315,882
(i) Debt Service	26,125

SOURCE OF FUNDS:

(1) ASETF	2,021,500		
(2) State Funds		267,731	
(3) Other Sources		<u>807,585</u>	
Total School of Optometry	2,021,500	1,075,316	3,096,816

6. School of Public and Allied Health:

(a) Instruction	1,890,445
(b) Research	64,469
(c) Public Service	245,500
(d) Libraries	27,785
(e) Academic Support (excl. Libr.)	484,513
(f) Student Services	60,197
(g) Institutional Support	230,800
(h) Operation & Maintenance of Physical Plant	257,771
(i) Scholarships and Fellowships .	16,000
(j) Debt Service	29,514

SOURCE OF FUNDS:

(1) ASETF	1,838,473		
(2) Federal Funds		1,089,642	
(3) Other Sources		<u>378,879</u>	
Total School of Community and Al- lied Health Resources	1,838,473	1,468,521	3,306,994

7. Regional Technical Institute:

(a) Instruction	1,382,972
(b) Research	24,750
(c) Public Service	95,495
(d) Libraries	35,627
(e) Academic Support (excl. Libr.)	210,097

(f) Student Services	63,388
(g) Institutional Support	102,146
(h) Operation & Maintenance of Physical Plant	292,825

SOURCE OF FUNDS:

(1) ASETF	1,697,245		
(2) Federal Funds		349,873	
(3) Other Sources		<u>160,182</u>	
Total Regional Technical Institute	1,697,245	510,055	2,207,300

8. Joint Health Sciences Program:

(a) Instruction	1,675,968
(b) Libraries	32,400
(c) Academic Support (excl. Libr.)	185,700
(d) Student Services	12,000
(e) Institutional Support	280,400
(f) Operation & Maintenance of Physical Plant	572,164
(g) Scholarships and Fellowships .	100,000
(h) Capital Outlay	50,000

SOURCE OF FUNDS:

(1) ASETF	2,392,488		
(2) Federal Funds		175,800	
(3) Other Sources		<u>340,344</u>	
Total Joint Health Sciences Pro- gram	2,392,488	516,144	2,908,632

9. Department of Pediatrics:

(a) Instruction	318,000
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SOURCE OF FUNDS:

(1) ASETF	<u>318,000</u>		
Total Department of Pediatrics ...	318,000		318,000

10. Center for Labor Education & Research:

(a) Research	43,070
(b) Public Service	172,270
(c) Institutional Support	30,040
(d) Operation & Maintenance of Physical Plant	23,794

SOURCE OF FUNDS:

(1) ASETF	<u>269,174</u>		
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Total Center for Labor Education and Research	269,174	269,174
11. Student Nurses Loans:		
(a) Scholarships & Fellowships ..		12,000
SOURCE OF FUNDS:		
(1) ASETF	<u>12,000</u>	
Total Student Nurses Loans	12,000	12,000
12. Special Mental Health:		
(a) Instruction		1,684,908
(b) Research		362,451
(c) Public Service		91,707
(d) Institutional Support		95,246
(e) Operation & Maintenance of Physical Plant		80,877
(f) Transfers		567,710
SOURCE OF FUNDS:		
(1) Special Mental Health Fund ..	<u>2,882,899</u>	
Total Special Mental Health	2,882,899	2,882,899
13. Center for Developmental and Learning Disorders:		
(a) Instruction		1,404,635
(b) Research		25,083
(c) Public Service		1,078,560
SOURCE OF FUNDS:		
(1) Special Mental Health Fund ..	487,250	
(2) Federal Funds	1,482,501	
(3) Other Sources	<u>538,527</u>	
Total Center for Development and Learning Disorders	2,508,278	2,508,278
14. School of Dentistry:		
(a) Instruction		5,525,057
(b) Research		3,871,173
(c) Public Service		561,287
(d) Libraries		102,052
(e) Academic Support (excl. Libr)		574,044
(f) Student Services		127,565
(g) Institutional Support		803,661

(h) Operation & Maintenance of Physical Plant			2,079,120
(i) Debt Service			85,000
SOURCE OF FUNDS:			
(1) ASETF	6,938,000		
(2) Federal Funds		4,100,000	
(3) Other Sources		<u>2,690,959</u>	
Total School of Dentistry	6,938,000	6,790,959	13,728,959
15. School of Nursing Scholarships:			
(a) Scholarships & Fellowships ..			88,400
SOURCE OF FUNDS:			
(1) ASETF	<u>88,400</u>		
Total School of Nursing Scholarships	88,400		88,400
16. System Medical Education Program:			
(a) Instruction			503,500
SOURCE OF FUNDS:			
(1) ASETF	<u>503,500</u>		
Total System Medical Education Program	503,500		503,500
17. School of Nursing:			
(a) Instruction			2,621,714
(b) Research			51,134
(c) Public Service			45,000
(d) Libraries			34,080
(e) Academic Support (excl. Libr.) ..			399,325
(f) Student Services			133,991
(g) Institutional Support			248,857
(h) Operation & Maintenance of Physical Plant			317,983
(i) Scholarships & Fellowships ...			20,000
SOURCE OF FUNDS:			
(1) ASETF	2,546,102		
(2) Federal Funds		719,603	
(3) Other Sources		<u>606,379</u>	
Total School of Nursing	2,546,102	1,325,982	3,872,084
18. Health—Related Research and Public Service:			

(a) Instruction	925,900
(b) Research	670,900
(c) Public Service	1,051,100
(d) Academic Support (excl. Libr.)	24,900
(e) Institutional Support	135,500
(f) Operation & Maintenance of Physical Plant	141,654

SOURCE OF FUNDS:

(1) ASETF	2,889,654		
(2) Other Sources		<u>60,300</u>	
Total Health-Related Research and Public Service	2,889,654	60,300	2,949,954

(These appropriations under Subsection B, University of Alabama in Birmingham are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

19. Emergency Medical Training, Including Mining Emergency Training & Safety:

(a) Instruction	125,000
(b) Public Service	40,000

SOURCE OF FUNDS:

(1) ASETF	<u>165,000</u>	
Total Emergency Medical Training	165,000	165,000

20. Urban Research and Public Service:

(a) Research	46,800
(b) Public Service	97,870
(c) Libraries	17,020
(d) Operation & Maintenance of Physical Plant	8,522

SOURCE OF FUNDS:

(1) ASETF	<u>170,212</u>
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Total Urban Research & Public Service	170,212	170,212
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21. Hypertension Research		400,000
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SOURCE OF FUNDS:

(1) ASETF	<u>400,000</u>	
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Total Hypertension Research	400,000	400,000
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22. Arthritis Research		400,000
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SOURCE OF FUNDS:

(1) ASETF	<u>400,000</u>	
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Total Arthritis Research	<u>400,000</u>	<u>400,000</u>
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TOTAL UNIVERSITY OF ALABAMA IN BIRMINGHAM	59,970,512	136,006,428	195,976,940
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C. University of Alabama in Huntsville:

(1) Operation and Maintenance:

(a) Instruction	4,439,805
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(b) Research	1,514,883
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(c) Public Service	277,652
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(d) Libraries	330,645
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(e) Academic Support (excl. Lib.) .	264,531
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(f) Student Service	536,212
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(g) Institutional Support	1,008,079
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(h) Operation and Maintenance of Physical Plant	1,000,930
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(i) Scholarships and Fellowships .	740,577
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(j) Auxiliary Enterprises	1,075,163
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(k) Equipment Purchases	530,000
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SOURCE OF FUNDS:

(1) ASETF	5,691,184	
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(2) Federal Funds		1,988,825
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(3) Other Sources		<u>3,938,468</u>
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Total Operation & Maintenance .	5,791,184	5,927,293	11,718,477
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2. School of Nursing Scholarships:

(a) Scholarships and Fellowships		18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>
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Total School of Nursing Scholarships	18,000		18,000
(To be expended in accordance with Act 2290, 1971 Regular Session.)			
3. School of Primary Medical Care:			
(a) Instruction			1,704,937
(b) Research			435,865
(c) Public Service			16,423
(d) Libraries			29,906
(e) Academic Support (excl. Libr.)			550,623
(f) Student Services			60,175
(g) Institutional Support			365,534
(h) Operation and Maintenance of Physical Plant			312,094
(i) Scholarships and Fellowships ..			2,800
(j) Equipment Purchases			47,567
SOURCE OF FUNDS:			
(1) ASETF	2,642,511		
(2) Federal Funds		440,228	
(3) Other Sources		<u>443,185</u>	
Total School of Primary Medical Care	2,642,511	883,413	3,525,924
(The University of Alabama in Huntsville)			
(4) Johnson Environmental & Energy Center:			
(a) Research			338,626
(b) Public Service			201,730
(c) Institutional Support			23,454
(d) Operation and Maintenance of Physical Plant			44,007
(e) Equipment Purchases			27,282
SOURCE OF FUNDS:			
(1) ASETF	269,191		
(2) State Funds		58,911	
(3) Federal Funds		305,168	
(4) Other Sources		<u>1,829</u>	
Total Center for Environmental and Energy Studies	269,191	365,908	635,099
5. Ambulatory Care Center:			
(a) Instruction			480,223

(b) Academic Support (excl. Libr.)	466,201
(c) Institutional Support	72,918
(d) Operation and Maintenance of Physical Plant	88,682
(e) Equipment Purchases	50,000

SOURCE OF FUNDS:

(1) ASETF	646,403		
(2) Other Sources		<u>511,621</u>	
Total Ambulatory Care Center ..	646,403	511,621	1,158,024

6. School of Nursing:

(a) Instruction	538,238
(b) Academic Support (excl. Libr.)	197,272
(c) Institutional Support	108,347
(d) Operation and Maintenance of Physical Plant	137,722
(e) Equipment Purchases	2,700

SOURCE OF FUNDS:

(1) ASETF	792,027		
(2) Other Sources		<u>192,252</u>	
Total School of Nursing	792,027	192,252	984,279

7. Paramedic Training:

(a) Instruction	7,750
(b) Public Service	86,000
(c) Institutional Support	16,730
(d) Operation and Maintenance of Physical Plant	14,520

SOURCE OF FUNDS:

(1) ASETF	<u>125,000</u>		
Total Paramedic Training	125,000		125,000

8. Alabama Solar Energy Center:

(a) Research	36,947
(b) Public Service	36,947
(c) Institutional Support	10,226
(d) Operation and Maintenance of Physical Plant	19,188
(e) Equipment Purchases	14,349

SOURCE OF FUNDS:

(1) ASETF	<u>117,657</u>		
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Total Solar Energy Center	117,657		117,657
TOTAL UNIVERSITY OF ALABAMA IN HUNTSVILLE	10,401,973	7,880,487	18,282,460
II. Board of Trustees of Alabama A & M Univ.			
A. Alabama A & M University			
1. Operation and Maintenance			
(a) Instruction			5,772,727
(b) Research			1,124,500
(c) Public Service			1,680,425
(d) Libraries			625,400
(e) Academic Support (excl. Libr.)			671,455
(f) Student Services			588,550
(g) Institutional Support			1,840,000
(h) Operation and Maintenance of Physical Plant			2,291,814
(i) Scholarships and Fellowships .			150,000
(j) Auxiliary Enterprises			2,900,000
(k) Equipment Purchases			241,814
(l) Automotive Equipment			65,000
(m) Debt Service			451,000
SOURCE OF FUNDS:			
(1) ASETF	8,100,000		
(2) Federal Funds		5,027,000	
(3) Other Sources		<u>5,275,685</u>	
Total Operation & Maintenance .	8,100,000	10,302,685	18,402,685
2. Vocational Teacher Training ..			250,000
SOURCE OF FUNDS:			
(1) ASETF	<u>250,000</u>		
Total Vocational Teacher Trng. ..	250,000		250,000
TOTAL ALABAMA A & M UNIVERSITY	8,350,000	10,302,685	18,652,685
III. Board of Trustees of Alabama State University			
A. Alabama State University			
1. Operation and Maintenance:			
(a) Instruction			5,215,310
(b) Libraries			670,860
(c) Academic Support (excl. Libr.)			511,880
(d) Student Services			888,340

(e) Institutional Support	1,259,780
(f) Operation and Maintenance of Physical Plant	1,337,810
(g) Scholarships and Fellowships	3,807,340
(h) Auxiliary Enterprises	2,424,780
(i) Research	93,610
(j) Public Service	93,820
(k) Debt Service	920,000
(l) Support personnel salary in- creases	250,000

SOURCE OF FUNDS:

(1) ASETF	7,368,175		
(2) Federal Funds		4,271,910	
(3) Other Sources		<u>5,833,445</u>	
Total Alabama State University .	7,368,175	10,105,355	17,473,530

IV. Board of Trustees of Auburn University

A. Auburn University

1. Operation and Maintenance:

(a) Instruction	30,016,035
(b) Research	5,987,159
(c) Public Service	4,036,563
(d) Libraries	3,581,220
(e) Academic Support (excl. Libr.)	3,310,474
(f) Student Services	3,273,554
(g) Institutional Support	4,651,892
(h) Operation and Maintenance of Physical Plant	7,476,079
(i) Scholarships and Fellowships .	1,400,000
(j) Auxiliary Enterprises	15,040,000

SOURCE OF FUNDS:

(1) ASETF	34,962,440		
(2) Federal Funds		152,350	
(3) Other Sources		43,637,906	
(4) State Funds		<u>20,280</u>	
Total Operation and Maintenance	34,962,440	43,810,536	78,772,976

2. School of Nursing:

(a) Instruction	500,000
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SOURCE OF FUNDS:

(1) ASETF	<u>500,000</u>		
Total School of Nursing	500,000		500,000
3. Educational Television:			
(a) Instruction			352,068
SOURCE OF FUNDS:			
(1) ASETF	<u>352,068</u>		
Total Educational Television	352,068		352,068
4. Center for Vocational Teacher Educational Training:			
(a) Instruction			500,000
SOURCE OF FUNDS:			
(1) ASETF	<u>500,000</u>		
Total Center for Vocational Teacher Educational Training .	500,000		500,000
5. Clinical Psychology:			
(a) Instruction			103,950
(b) Equipment—Other than Au- tomotive			6,050
SOURCE OF FUNDS:			
(1) ASETF	<u>110,000</u>		
Total Clinical Psychology	110,000		110,000
6. Agricultural Experiment Station (Including Wildlife):			
(a) Research			14,609,845
(b) Institutional Support			618,350
(c) Operation and Maintenance of Physical Plant			286,953
SOURCE OF FUNDS:			
(1) ASETF	7,224,277		
(2) Federal Funds		5,546,341	
(3) Other Sources		2,550,000	
(4) State Funds		<u>194,530</u>	
Total Agriculture Experiment Sta- tion	7,224,277	8,290,871	15,515,148
That all research work and ex- perimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the Director of the Agriculture Ex- periment Station System and the President of Auburn University,			

who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1979.

The funds provided in this subsection (a) shall be used for the support of researchers, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researchers and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

7. Engineering Experimental Station:

(a) Research		812,232
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SOURCE OF FUNDS:

(1) ASETF	812,232	
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Total Engineering Experimental Station	812,232	812,232
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8. Cooperative Extension Service:

(a) Public Service		17,293,319
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SOURCE OF FUNDS:

(1) ASETF	7,893,538	
(2) Federal Funds		7,872,700
(3) Local Funds		<u>1,527,081</u>

Total Cooperative Extension Service	7,893,538	9,399,781	17,293,319
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production; marketing and curing

of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaptation and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researchers and experiments dealing with forest production, management and use; for researchers dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researchers to discover new uses of land; for the provisions of necessary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation

9. Cooperative Extension Service—Retirement:

(a) Public Service	1,022,840
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SOURCE OF FUNDS:

(1) ASETF	1,022,840
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(2) Other Sources	
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Total Cooperative Extension Service—Retirement	1,022,840	1,022,840
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The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the

maximum amounts of aid from
the Federal government.

10. Public Service, Research and
Extension:

(a) Public Service		346,841
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SOURCE OF FUNDS:

(1) ASETF	<u>346,841</u>	
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Total Public Service, Research and Extension	346,841	346,841
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11. Energy Research		250,000
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SOURCE OF FUNDS:

(1) ASETF	<u>250,000</u>	
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Total Energy Research	250,000	250,000
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TOTAL AUBURN UNIVERSITY	53,974,236	61,501,188	115,475,424
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B. Auburn University at
Montgomery:

1. Operations and Maintenance:

(a) Instruction		4,516,113
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(b) Research		87,405
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(c) Public Service		1,801,705
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(d) Libraries		314,216
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(e) Academic Support (excl. Libr.)		245,453
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(f) Student Services		345,521
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(g) Institutional Support		515,122
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(h) Operation and Maintenance of Physical Plant		1,146,296
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(i) Scholarships and Fellowships .		293,295
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(j) Debt Service		60,314
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SOURCE OF FUNDS:

(1) ASETF	5,281,493	
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(2) Federal Funds		1,621,100
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(3) State Funds		45,000
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(4) Other Sources		<u>2,377,847</u>
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Total Operation and Maintenance	5,281,493	4,043,947	9,325,440
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2. Montgomery Area Community
Health Science Institute:

(a) Public Service		127,769
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SOURCE OF FUNDS:

(1) ASETF	<u>127,769</u>	
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Total Montgomery Area Commu- nity Health Science Institute ..	127,769	127,769
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3. Public Service Research and Extensions (Center for Government & Public Affairs):

(a) Public Services 158,400

SOURCE OF FUNDS:

(1) ASETF 150,000

(2) Other Sources 8,400

Total Public Service Research and Extensions (Center for Government and Public Affairs)

150,000 8,400 158,400

4. School of Nursing:

(a) Instruction 250,000

SOURCE OF FUNDS:

(1) ASETF 250,000

Total School of Nursing 250,000 250,000

TOTAL AUBURN AT MONTGOMERY

5,809,262 4,052,347 9,861,609

V. Board of Trustees of Jacksonville State University:

A. Jacksonville State University

1. Operations and Maintenance

(a) Instruction 7,772,548

(b) Public Service 64,172

(c) Libraries 1,061,468

(d) Academic Support (excl. Libr.) 499,736

(e) Student Services 853,172

(f) Institutional Support 370,304

(g) Operation and Maintenance of Physical Plant 2,310,978

(h) Scholarships and Fellowships 315,000

(i) Debt Service 515,000

SOURCE OF FUNDS:

(1) ASETF 10,272,378

(2) State Funds 160,000

(3) Other Sources 3,230,000

Total Operations and Maintenance 10,372,378 3,390,000 13,762,378

2. Gadsden Cooperative University Upper Division Program:

(a) Instruction 465,622

(b) Public Service 8,000

(c) Libraries	38,000
(d) Academic Support (excl. Libr.)	18,000
(e) Student Services	15,000
(f) Operation and Maintenance of Physical Plant	50,000

SOURCE OF FUNDS:

(1) ASETF	484,622		
(2) Other Sources		<u>110,000</u>	
Total Gadsden Cooperative Uni- versity Upper Division Program	484,622	110,000	594,622

3. Nursing Scholarships:

(a) Scholarships and Fellowships	18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>		
Total Nursing Scholarships	18,000		18,000

(To be expended in accordance with
Act No. 2288, 1971 Regular Ses-
sion.)

4. United Cerebral Palsy Develop- ment Center for East Central Al- abama	100,000
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SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>		
Total United Cerebral Palsy De- velopment Center for East Cent- ral Alabama	100,000		100,000

5. For Vocational Teacher Training	100,000
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SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>		
Total Vocational Teacher Training	100,000		100,000

TOTAL JACKSONVILLE STATE UNIVERSITY	11,075,000	3,500,000	14,575,000
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A. Livingston University:

1. Operation and Maintenance:

(a) Instruction	1,634,247
(b) Libraries	173,902
(c) Academic Support (excl. Libr.)	196,472
(d) Student Services	224,790
(e) Institutional Support	630,208
(f) Operation and Maintenance of Physical Plant	891,821

(g) Scholarships and Fellowships	25,646
(h) Auxiliary Enterprises	1,078,000
(i) For Federal Programs	189,800

SOURCE OF FUNDS:

(1) ASETF	3,211,782		
(2) Federal Funds		189,800	
(3) Local Funds		<u>1,643,304</u>	
Total Operation and Maintenance	3,211,782	1,833,104	5,044,886

2. Nursing Scholarships:

(a) Scholarships and Fellowships	18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>		
Total Nursing Scholarships	18,000		18,000

TOTAL LIVINGSTON UNIVERSITY	3,229,782	1,833,104	5,062,886
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VII. Board of Trustees of University of Montevallo:

A. University of Montevallo:

1. Operations and Maintenance:

(a) Instruction	2,999,975
(b) Research	50,000
(c) Public Service	89,456
(d) Libraries	249,691
(e) Academic Support	372,312
(f) Student Services	392,952
(g) Institutional Support	807,390
(h) Operation and Maintenance of Physical Plant	1,546,618
(i) Scholarships and Fellowships ..	77,070
(j) Hospitals	306,080
(k) Auxiliary Enterprises	1,966,651

SOURCE OF FUNDS:

(1) ASETF	4,975,198		
(2) State Funds		85,000	
(3) Federal Funds		323,959	
(4) Other Sources		<u>3,474,038</u>	

Total Operations and Maintenance	4,975,198	3,882,997	8,858,195
2. School for Aphasic Children:			
(a) Instruction			276,072
SOURCE OF FUNDS:			
(1) ASETF	199,464		
(2) Federal Funds		3,000	
(3) Other Sources		<u>73,608</u>	
Total School for Aphasic Children	199,464	76,608	276,072
3. Highway Safety Program:			
(a) Instruction			127,788
SOURCE OF FUNDS:			
(1) ASETF	125,714		
(2) Other Sources		<u>2,074</u>	
Total Highway Safety Program ..	125,714	2,074	127,788
4. Communications Center:			
(a) Public Service			18,178
SOURCE OF FUNDS:			
(1) ASETF	<u>18,178</u>		
Total Communications Center ...	18,178		18,178
5. For Vocational Teacher Training			50,000
SOURCE OF FUNDS:			
(1) ASETF	<u>50,000</u>		
Total Vocational Teacher Training	50,000		50,000
TOTAL UNIVERSITY OF MONTEVALLO	5,368,554	3,961,679	9,330,233
VIII. Board of Trustees of University of North Alabama:			
A. University of North Alabama:			
1. Operations and Maintenance:			
(a) Instruction			5,219,942
(b) Research			106,350
(c) Public Service			51,130
(d) Libraries			487,000
(e) Academic Support (excl. Libr.)			629,000
(f) Student Services			835,660
(g) Institutional Support			1,147,000
(h) Operation and Maintenance of Physical Plant			1,636,200

(i) Scholarships and Fellowships .			60,439
(j) Debt Service			170,700
SOURCE OF FUNDS:			
(1) ASETF	7,000,000		
(2) Federal Funds		284,680	
(3) Local Funds		85,000	
(4) Other Sources		<u>2,973,741</u>	
Total Operation and Maintenance	7,000,000	3,343,421	10,343,421
2. Auxiliary Enterprises:			
(a) Auxiliary Enterprises			2,544,321
SOURCE OF FUNDS:			
(1) Other Sources		<u>2,544,321</u>	
Total Auxiliary Enterprises		2,544,321	2,544,321
3. Nursing School Scholarships:			
(a) Scholarships and Fellowships			18,000
SOURCE OF FUNDS:			
(1) ASETF	<u>18,000</u>		
Total Nursing School Scholarships	18,000		18,000
(To be expended in accordance with Act No. 2304, 1971 Regular Ses- sion.)			
TOTAL UNIVERSITY OF NORTH ALABAMA	7,018,000	5,887,742	12,905,742
IX. Board of Trustees of University of South Alabama:			
A. University of South Alabama:			
1. Operations and Maintenance:			
(a) Instruction			8,120,663
(b) Research			175,488
(c) Public Service			49,267
(d) Libraries			416,050
(e) Academic Support (excl. Libr.)			458,281
(f) Student Services			1,272,356
(g) Institutional Support			1,216,059
(h) Operations and Maintenance of Physical Plant			2,137,653
(i) Scholarships and Fellowships .			275,181
(j) Debt Service			1,499,333
(k) Capital Outlay			113,283
(l) Equipment—Other than Au- tomotive			508,199

(m) Automotive Equipment	19,110
(n) Transfers	190,000

SOURCE OF FUNDS:

(1) ASETF	9,852,713		
(2) State Funds		123,353	
(3) Federal Funds		481,400	
(4) Other Sources		<u>5,993,457</u>	
Total Operations and Maintenance	9,852,713	6,598,210	16,450,923

2. Statewide Medical Education:

(a) Instruction	187,824
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SOURCE OF FUNDS:

(1) ASETF	<u>187,824</u>	
Total Statewide Medical Education	187,824	187,824

3. Ambulatory Care:

(a) Academic Support (excl. Libr.)	99,304
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SOURCE OF FUNDS:

(1) ASETF	<u>99,304</u>	
Total Ambulatory Care	99,304	99,304

4. Family Practice Residency Program:

(a) Instruction	423,316
(b) Operations and Maintenance of Physical Plant	4,880
(c) Equipment—Other than Au- tomotive	54,804
(d) Transfers	94,000

SOURCE OF FUNDS:

(1) ASETF	<u>577,000</u>	
Total Family Practice Residency Programs	577,000	577,000

The above appropriation shall be expended for Rural Family Practice Training Programs not limited to but including Family Practice Residency in Baldwin County, Family Practice Training Center in Pike County and start-up costs for Family Practice Residency Program in Dothan.

5. College of Medicine:

(a) Instruction	6,320,483
(b) Research	1,073,449
(c) Public Service	24,707
(d) Libraries	408,000
(e) Academic Support	386,817
(f) Student Services	125,262
(g) Institutional Support	869,353
(h) Operations and Maintenance of Physical Plant	1,228,181
(i) Scholarships and Fellowships .	35,811
(j) Capital Outlay	192,695
(k) Equipment—Other than Au- tomotive	192,695
(l) Transfers	1,791,434

SOURCE OF FUNDS:

(1) ASETF	8,259,329		
(2) Federal Funds		1,262,506	
(3) Other Sources		<u>3,127,052</u>	
Total College of Medicine	8,259,329	4,389,558	12,648,887

6. University Medical Center:

(Includes University Hospital and Clinic)

(a) Medical Center	25,971,366
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SOURCE OF FUNDS:

(1) ASETF	1,677,427		
(2) Other Sources		<u>24,293,939</u>	
Total University Medical Center	1,677,427	24,293,939	25,971,366

7. Newborn Growth and Development Program (formerly Infant and Maternal Care):

(a) Instruction	79,097
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SOURCE OF FUNDS:

(1) ASETF	<u>79,097</u>		
Total Infant and Maternal Care .	79,097		79,097

8. Human and Clinical Nutrition Program

(a) Instruction			25,000
SOURCE OF FUNDS:			
(1) ASETF	25,000		
Total Human and Clinical Nutrition Pro.	25,000		25,000
9. Division of Allied Health:			
(a) Instruction			456,770
(b) Institutional Support			74,384
(c) Equipment—Other than Automotive			57,000
(d) Transfers			96,145
SOURCE OF FUNDS:			
(1) ASETF	586,432		
(2) Other Sources		97,867	
Total Division of Allied Health ..	586,432	97,867	684,299
10. School of Nursing:			
(a) Instruction			500,706
(b) Institutional Support			15,000
(c) Equipment—Other than Automotive			30,000
(d) Transfers			99,942
SOURCE OF FUNDS:			
(1) ASETF	468,864		
(2) Federal Funds		25,500	
(3) Other Sources		151,284	
Total School of Nursing	468,864	176,784	645,648
11. Nursing Scholarships:			
(a) Scholarships and Fellowships			22,539
SOURCE OF FUNDS:			
(1) ASETF	18,000		
(2) Other Sources		4,539	
Total Nursing Scholarships	18,000	4,539	22,539
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)			
12. Research and Public Service Extension:			
(a) Research			40,000
(b) Public Service			51,398

(c) Equipment—Other than Automotive			10,000
SOURCE OF FUNDS:			
(1) ASETF	91,398		
(2) Other Sources		<u>10,000</u>	
Total Research and Public Service Extension	91,398	10,000	101,398
13. Reproductive Health Sciences Center:			
(a) Instruction			25,000
(b) Equipment—Other than Automotive			25,000
SOURCE OF FUNDS:			
(1) ASETF	<u>50,000</u>		
Total Reproductive Health Sciences Center	50,000		50,000
14. Paramedic Training Program:			
(a) For Operations and Maintenance			125,000
SOURCE OF FUNDS:			
(1) ASETF	<u>125,000</u>		
Total Paramedic Training Program	125,000		125,000
15. Auxiliary Enterprises:			
(a) Auxiliary Enterprises			4,549,481
SOURCE OF FUNDS:			
(1) Other Sources		<u>4,549,481</u>	
Total Auxiliary Enterprises		4,549,481	4,549,481
16. Basic Medical Sciences:			
(a) Instruction			109,323
(b) Research			20,347
(c) Libraries			16,273
(d) Academic Support			25,213
(e) Student Services			3,045
(f) Institutional Support			10,162
(g) Operations and Maintenance of Physical Plant			30,037
SOURCE OF FUNDS:			
(1) ASETF	200,000		
(2) Other Sources		<u>14,400</u>	
Total Basic Medical Sciences	200,000	14,400	214,400

TOTAL UNIVERSITY OF SOUTH ALABAMA

22,297,388 40,120,378 62,417,766

(These appropriations under Section IX, University of South Alabama, are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama whether acting on their behalf or for others are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

X. Board of Trustees of Troy State University

A. Troy State University:

1. Operations and Maintenance:

(a) Instruction	4,176,400
(b) Research	32,800
(c) Libraries	377,900
(d) Academic Support (excl. Libr.)	259,800
(e) Student Services	831,200
(f) Institutional Support	1,090,300
(g) Operation and Maintenance of Physical Plant	1,300,000
(h) Scholarships and Fellowships	360,000
(i) Public Service	221,800
(j) Auxiliary Enterprises	3,265,318
(k) Capital Outlay	365,000
(l) Debt Services	245,000
(m) Transfer to Plant Fund	100,000
(n) For Vocational Teacher Training	100,000

SOURCE OF FUNDS:

(1) ASETF	6,508,599		
(2) Federal Funds		500,000	
(3) Other Sources		<u>5,716,919</u>	
Total Operations and Maintenance	6,508,599	6,216,919	12,725,518

2. Operation and Maintenance at Ft. Rucker/Dothan:

(a) Instruction	1,137,700
(b) Libraries	114,900
(c) Academic Support (excl. Libr.)	154,700
(d) Student Services	131,200
(e) Institutional Support	172,500
(f) Operation and Maintenance of Physical Plant	116,626
(g) Scholarships and Fellowships	20,000
(h) Auxiliary Enterprises	145,000
(i) Capital Outlay	115,000
(j) Debt Service	80,000

SOURCE OF FUNDS:

(1) ASETF	870,000		
(2) Other Sources		<u>1,317,626</u>	
Total Operations and Maintenance at Ft. Rucker/Dothan	870,000	1,317,626	2,187,626

3. Operations and Maintenance in
Montgomery:

(a) Instruction	1,271,300
(b) Public Service	66,500
(c) Libraries	15,000
(d) Academic Support (excl. Libr.)	145,000
(e) Student Services	235,000
(f) Institutional Support	495,000
(g) Scholarships and Fellowships	5,000
(h) Auxiliary Enterprises	220,000
(i) Capital Outlay	50,000

SOURCE OF FUNDS:

(1) ASETF	222,800		
(2) Other Sources		<u>2,280,000</u>	
Total Operations and Maintenance in Montgomery	222,800	2,280,000	2,502,800

4. Nursing Scholarships:

(a) Scholarships and Fellowships	36,000
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SOURCE OF FUNDS:

(1) ASETF	<u>36,000</u>		
Total Nursing Scholarships	36,000		36,000

(To be expended in accordance with
Act No. 2292, 1971 Regular Ses-
sion.)

5. Operation and Maintenance of
Troy State University's Bay
Minette Branch:

(a) Instruction 50,000

SOURCE OF FUNDS:

(1) ASETF 50,000

Total Operation and Maintenance
at Bay Minette's Branch 50,000 50,000

6. Operation and Maintenance of
BSN Program in Montgomery . 250,000

SOURCE OF FUNDS:

(1) ASETF 250,000

Total Nursing School—Mont-
gomery 250,000 250,000

TOTAL TROY STATE UNIVER-
SITY 7,937,399 9,814,545 17,751,944

Of the amounts appropriated herein above to all colleges and universities for the fiscal year ending September 30, 1979, a minimum cost-of-living salary increase of seven and one-half percent (7½%) of the 1977-78 salary shall be granted across the board to all full-time instructional personnel. These salary increases shall be granted in addition to salary now received and all merit, promotional, and other salary increments due said personnel. Persons employed for ten (10), eleven (11), or twelve (12) months shall receive an additional pro rata salary increases. Provided, however, the provisions hereinabove shall not apply to any medical school except for the teaching personnel in the basic sciences.

XI. Board of Trustees for Alabama
Institute for Deaf and Blind:

A. Alabama Institute for Deaf and
Blind:

1. Operation and Maintenance:

(a) Instructions 1,710,440

(b) Libraries 72,368

(c) Student Services 379,151

(d) Institutional Support 149,190

(e) Operation and Maintenance of
Physical Plant 1,337,543

(f) Scholarships and Fellowships . 1,800

(g) Infirmary Speech and Hearing 133,233

(h) Auxiliary Enterprises 2,179,651

SOURCE OF FUNDS:

(1) ASETF 3,696,500

(2) Federal Funds 2,266,876

Total Alabama Institute for Deaf and Blind	3,696,500	2,266,876	5,963,376
B. Department of Adult Blind and Deaf:			
1. Operation and Maintenance:			
(a) Instruction			1,105,085
(b) Libraries			77,133
(c) Academic Support (excl. Libr.)			32,441
(d) Student Services			805,927
(e) Institutional Support			259,251
(f) Operation and Maintenance of Physical Plant			312,833
(g) Auxiliary Enterprises			5,896,247
(h) Equipment—Other than Automotive			63,466
(i) Automotive Equipment			12,501
SOURCE OF FUNDS:			
(1) ASETF	1,518,500		
(2) Federal Funds		2,017,349	
(3) Other Sources		<u>5,029,035</u>	
Total Alabama Institute for Deaf and Blind	1,518,500	7,046,384	8,564,804
GRAND TOTAL ALABAMA INSTITUTE FOR DEAF AND BLIND	5,215,000	9,313,260	14,528,260

Also each certificated employee shall be allowed two hundred forty-seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan(s) and the carrier(s) of the hospital-medical insurance.

Of the appropriation above three hundred dollars (\$300) per teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and princi-

pal shall cooperatively develop a budget for instructional supplies and materials and, based on this budget, recommend to the President the amount to be allotted to each teacher for the operation of the instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. Of the amount appropriated above for the fiscal year ending September 30, 1979, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

In addition to the salary now received by support personnel, full-time personnel shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per

day. Those support personnel working less than six hours per day shall receive pro rata increases based on number of hours worker per day.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

(a) Instruction	1,256,227
(b) Instructional Support	105,072
(c) Administrative Support	442,221
(d) Student Services	144,347
(e) Operation and Maintenance of Physical Plant	362,141
(f) Auxiliary Enterprises	323,122

SOURCE OF FUNDS:

(1) ASETF	1,500,000		
(2) Federal Funds		122,250	
(3) Other Sources		<u>1,010,880</u>	
TOTAL ATHENS STATE COL- LEGE	1,500,000	1,133,130	2,633,130

Section 6. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

1. George C. Wallace Community College at Dothan:

For Operations and Maintenance 125,000

2. Gadsden State Junior College:

For Capital Outlay 125,000

Section 7. Other Educational Appropriations:

1. Dothan City Board of Education:

For Capital Outlay 115,441

2. S. D. Bishop State Junior College:

For Capital Outlay 84,559

3. George Corley Wallace State Community College (Selma):

For Operations and Maintenance
at the facility formerly Craig
AFB 116,300

4. George Corley Wallace State
Community College—Technical
Branch (Selma):

For Operations and Maintenance
at the facility formerly Craig
AFB 324,000

5. Alabama Academy of Honor .. 3,500

Section 8.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,882,899 to be expended under the programmatic area as shown under subsection 12 on page 52

(2) There is hereby transferred from the Special Mental Health Trust Fund \$487,250 to be expended under the programmatic area as shown under subsection 13 on page 52

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Section 257, 258, and 259 of the Constitution in 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

Section 9. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefore provided, that all appropriations and funds made available to the University of Alabama at Tuscaloosa, University of Alabama in Birmingham, University of Alabama in Huntsville, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 10. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will

show a cash flow of such receipts received under the provision of this appropriation

Section 11. The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, which holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 12. This Act shall become effective on October 1, 1978.

Mr. Fine offered the following amendment to the substitute for the Bill, S. B. 56, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 56

On page 87, immediately following Section 6 on line 15, insert the following new section 7 and renumber the remaining sections accordingly:

Section 7. Three million one hundred twenty-five thousand dollars (\$3,125,000) is hereby appropriated from the Alabama Special Educational Trust Fund for repair and replacement of, and equipment for, public school buildings which have been destroyed by fire or natural disaster or where there exist critical needs, such amount to be allocated as follows:

Boards of Education	School	Amount
1. Gadsden City	General Forest School	\$275,000
2. Hartselle City	Morgan County Training School	290,000
3. Lamar County	Vernon Vocational School	15,000
4. Winfield City	Winfield Vocational School	100,000
5. Midfield City	Midfield School	200,000
6. Lawrence County	Chalybeate School	240,000
7. Madison County	New Market School	125,000
8. Marshall County	Boaz Middle School	315,000
9. Mobile County	Prichard Middle School	315,000
10. Jefferson County	McAdory High School	300,000
11. Shelby County	Montevallo High School	125,000
12. Cullman County	Baileyton School	100,000
13. Tusculumbia City	Deshler Jr. High School	100,000
14. Birmingham City	Parker High School	100,000
15. Randolph Co.	Folsom Jr. High School	300,000
16. Dale County	Pinckard School	100,000
17. Shelby County	Vincent High School	125,000

Which was adopted.

Yeas 27; Nays 1.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Pearson, Peden, Powell, Proctor, Roberts, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—27

Nay: Mr. Owen.

—1

Mr. Wilson offered the following amendment to the substitute, as amended, for the Bill, S. B. 56, to-wit:

AMENDMENT TO SUBST., AS AMENDED,
FOR S. B. 56

Amend Substitute for Senate Bill No. 56 Page 35 by striking out lines 8 through 19 and insert in lieu thereof; all Technical College instructors who met the current Rank III and IV qualifications as of September 1, 1977 will be paid retroactive for the 1977-78 school year.

On motion of Mr. Fine, said amendment was laid on the table.

Yeas 25; Nays 8.

Yeas:

Messrs. Bank, Clemon, Ellis, Fine, Foshee, Goodwin, Jones, King, Little, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop.

—25

Nays:

Messrs. Edwards, Gilmore, Higginbotham, McDonald (A), McDonald (S), McMillan, St. John, Wilson.

—8

Mr. St. John offered the following amendment to the substitute, as amended, for the Bill, S. B. 56, to-wit:

AMENDMENT TO SUBSTITUTE AS AMENDED,
FOR S. B. 56

Amend substitute for Senate Bill 56 on page 87, line 29, by inserting after Section 7 the following Sections:

6. George C. Wallace Community College at Hanceville—\$2,500,000
7. Chattahoochee Valley Community College—\$2,000,000
8. Elba City Schools—\$450,000.00
9. Enterprise Junior College—\$850,000.00

Which was adopted.

And said substitute, as thus amended, for the Bill, S. B. 56, was then adopted by the Senate.

Yeas 31; Nays 3.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—31

Nays: Messrs. Edwards, McDonald (S), Perry.

—3

And said Bill, S. B. 56, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 4.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—30

Nays: Messrs. Adams, Edwards, McDonald (S), Perry.

—4

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Riddick, Smith (B), and Moore (W):

H. J. R. 6. COMMENDING THE GEORGE C. MARSHALL SPACE FLIGHT CENTER FOR ITS NOTABLE ACHIEVEMENTS IN THE FURTHERANCE OF OUR NATION'S SPACE PROGRAM.

Also:

By Messrs. Moore (O), Waggoner, Smith (C) and Dial:

H. J. R. 8. HONORING MR. ELVIN HILL, SHELBY COUNTY SUPERINTENDENT OF SCHOOLS.

Also:

By Mr. McCorquodale:

H. J. R. 11. MOURNING THE DEATH OF MR. HAROLD O. GLASS, PROMINENT ALABAMA BANKER AND CIVIC LEADER.

Also:

By Messrs. Manley and Campbell:

H. J. R. 12. COMMENDING MAYOR WILLIAM H. TUCK, WINNER OF THE 1977 DAVID M. COCHRANE AWARD.

Also:

By Mr. McNees:

H. J. R. 15. HONORING DR. CHARLES W. DAVIS, MINISTER, MISSIONARY AND EDUCATOR.

Also:

By Mr. McNees:

H. J. R. 17. MOURNING THE DEATH OF MRS. LINNIE WIGGINS NEWMAN, NOTABLE GOSPEL SINGER OF LAMAR COUNTY, ALABAMA.

Also:

By Mr. Hill:

H. J. R. 19. CONGRATULATING AND COMMENDING MARS HILL BIBLE SCHOOL, STATE 1A BASEBALL CHAMPIONS.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolutions, H. J. R.'s 6, 8, 11, 12, 15, 17, and 19 set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Sandusky, Callahan, Younce and Cooper:

H. J. R. 42. MOURNING THE DEATH OF ALFRED F. DELCHAMPS.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 42, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 1. RELATING TO THE PRINTING OF ACTS.

Also:

S. J. R. 2. COMMITTEE APPOINTED TO NOTIFY GOVERNOR OF JOINT SESSION.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Armstrong, Trammell, Boles and Howard:

H. J. R. 43. NAMING THE INDUSTRIAL TRAINING CENTER TO BE CONSTRUCTED AT BESSEMER STATE TECHNICAL COLLEGE, "MILLSAP INDUSTRIAL TRAINING CENTER".

Also:

By Mr. Mitchem:

H. J. R. 44. NOTING THE OCCASION OF MR. OSCAR VANN SHIRLEY'S 102ND BIRTHDAY.

Also:

By Mr. Smith (C):

H. J. R. 45. COMMENDING DONALD L. MARTIN, ALABAMA'S RESCUE SQUAD WORKER OF THE YEAR.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolutions, H. J. R.'s 43, 44, and 45, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Waggoner:

H. J. R. 24. HONORING MR. J. C. "CLIFF" HARPER, SOUTH-EASTERN CONFERENCE ASSOCIATE COMMISSIONER, EMERITUS, DESIGNATE.

Also:

By Mr. Turnham:

H. J. R. 25. COMMENDING AUBURN UNIVERSITY, SOUTH-EASTERN CONFERENCE ALL SPORTS TROPHY WINNER.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolutions, H. J. R.'s 24 and 25, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Hall:

H. J. R. 46. COMMENDING MRS. JO MARSHALL, SPONSOR OF PI PI CHAPTER OF PHI THETA KAPPA AND ADVISOR FOR THE ALABAMA REGION OF PHI THETA KAPPA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 46, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

H. J. R. 9. PETITIONING THE OFFICIALS OF THE GAME AND FISH COMMISSIONS OF THE STATES OF ALABAMA AND GEORGIA URGING THEM TO AMEND AN EXISTING RECIPROCAL FISHING AGREEMENT SO AS TO RECOGNIZE THE VALIDITY OF ALABAMA AND GEORGIA FISHING LICENSES IN THE WATERS OF THE CHATTAHOOCHEE RIVER MEANDERING IN A SOUTHERLY DIRECTION FROM THE SOUTH FACE OF THE WEST POINT DAM TO THE POINT WHERE SAID RIVER IS INTERSECTED BY THE RIGHT-OF-WAY OF THE INTERSTATE 85 BRIDGE LINKING HARRIS COUNTY, GEORGIA, AND CHAMBERS COUNTY, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Owens, Manley, Pegues, McCorquodale, Robertson, Quarles, Mitchem, Gafford, McCulley, Merrill, McMillan, Plaster, Kinsey, Crowe, Kelley, Smith (M), Carothers, Shoemaker, Jackson (F), Harris, Dial, Barron, Campbell, Weeks, Baker, Thomas, Drake, Shelton, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Smith (B), Riddick, McNees, Jolly, Johnson, Jackson (F), Smith (C), Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Morris, Whatley, Crawford, Carter, Hall, Starkey, Hill, Edwards and Younce:

H. 174. To exempt homesteads of persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind, from all ad valorem property taxes levied by the state of Alabama; to exempt principal residences of persons over 65 years of age or who are totally disabled from all ad valorem taxation in the state; to amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975; and to provide an effective date for the act.

Also:

By Messrs. Owens, Manley, Quarles, Pegues, McCorquodale, Robertson, Mitchem, Plaster, Gafford, McCulley, Merrill, McMillan, Kinsey, Carothers, Crowe, Kelley, Smith (M), Shoemaker, Jackson (F), Harris, Dial, Barron, Campbell, Baker, Drake, Shelton, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Weeks, Smith (B), Riddick, McNees, Jolly, Johnson, Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Whatley, Crawford, Carter, Hall, Starkey, Hill, Edwards and Younce:

H. 175. To exempt homesteads from all ad valorem property taxes levied by any county of the State of Alabama; to specify the amount of such exemption and the taxpayers eligible to claim such exemption; to provide a greater homestead exemption for persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind; and to provide an effective date for the act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 174 and 175. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Manley, Pegues, McCorquodale, Robertson, Quarles, Mitchem, Gafford, McCulley, Plaster, McMillan, Kinsey, Merrill, Smith (M), Owens, Carothers, Crowe, Shoemaker, Lee, Greer, Kelley, Dial, Campbell, Barron, Lutz, Drake, Shelton, Sparks, Cross, Clark, Moore (O), Roberts, Martin,

Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Weeks, Smith (B), Riddick, McNees, Jolly, Johnson, Jackson (F), Smith (C), Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Whatley, Baker, Crawford, Carter, Starkey, Hill, Edwards and Younce:

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of less than \$700,000.00 at each place of business of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 173. To the Committee on Finance and Taxation.

RESOLUTIONS

Mr. Adams offered the following Senate Joint Resolution, to-wit:

S. J. R. 25. EXPRESSING INTENT OF THE LEGISLATURE AS TO CERTAIN SALARY INCREASES GRANTED TO CERTAIN SCHOOL EMPLOYEES AND CERTAIN EMPLOYEES OF CITY AND COUNTY BOARDS OF EDUCATION BY ACT NO. 637, H. 482, 1977 REGULAR SESSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the salary increases provided to certain school employees and certain employees of county and city boards of education by section 3. A. 16 (ii) of Act No. 637, H. 482, 1977 Regular Session (Acts of Alabama 1977, p. 1040) were intended by this legislative body to be a continuing increase, which is supplemental to any salaries otherwise negotiated by such employees.

Which was read and referred to the Standing Committee on Rules.

Messrs. Clemon, Pearson, and McMillan offered the following Senate Joint Resolution, to-wit:

S. J. R. 26. MOURNING THE DEATH OF MR. IVA B. WILLIAMS OF BIRMINGHAM, ALABAMA.

WHEREAS, the Legislature of Alabama has grievously noted the death of Mr. Iva B. Williams in Birmingham, Alabama, on August 30, 1978; and

WHEREAS, Mr. Williams served for many years as band director at Miles College; widely acclaimed as an outstandingly talented musician, he

also was director of the "Collegians," a well-known band that entertained through the years at literally thousands of social functions both on and off campus; and

WHEREAS, in addition to his music-related duties, Iva Williams further served in the position of Superintendent of Buildings and Grounds at the college; and

WHEREAS, he was unquestionably one of the all-time favorite officials of Miles College and his death has left a void in the lives and hearts of faculty, staff and students who are deeply grieved in their great loss; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we have been deeply saddened by the death of Mr. Iva B. Williams, former Miles College official, and extend our most heartfelt sympathy to his family and many friends with whom we share the sorrow of his loss.

BE IT FURTHER RESOLVED, That his widow, Mrs. Iva B. Williams, receive a copy of this resolution as a token of our abiding concern for her in her time of great sorrow.

On motion of Mr. Clemon, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 14. To amend Section 4 of Act No. 594, H. 308 of the 1978 Regular Session, which section relates to the maintenance by the jury commission of a master jury box and master list for each county, so as to change the month in which the master jury box must be emptied and refilled.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 14, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 14

A BILL TO BE ENTITLED AN ACT

To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session 1978, to provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 594, Regular Session 1978, is hereby amended to read as follows:

"Section 4. Master Jury Box. (a) The name of every person on the master list shall be set forth on a card listing the name or identifying number

as a prospective juror, and the cards shall be placed in the master jury box as provided in this section.

(b) The number of prospective jurors to be placed in the master jury box shall be 1,000 plus one percent of the total number of names on the master list. From time to time additional prospective jurors may be placed in the master jury box as determined by the jury commission or ordered by the circuit court. In July of each even numbered year, the master jury box shall be emptied and refilled as herein prescribed. The master jury box shall be filled as prescribed in this Act by December 31, 1978, and shall be emptied and refilled in December of each even numbered year thereafter."

Section 2. Section 14 of Act No. 594, Regular Session 1978, is hereby amended to read as follows:

"Section 14. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. Provided, however, that nothcg in this section shall be construed so as to require the jury commission to refill the master jury box, or to otherwise establish a trial court jury box of qualified prospective jurors, prior to the time specified in Section 4(b) of this Act."

Section 3. Severability. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—29

Nays:

—0

And said Bill, S. B. 14, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—32

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. St. John, consideration of the Bill, S. B. 80, was indefinitely postponed.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 1. RELATING TO THE PRINTING OF ACTS.

Also:

S. J. R. 9. PETITIONING THE OFFICIALS OF THE GAME AND FISH COMMISSIONS OF THE STATES OF ALABAMA AND GEORGIA URGING THEM TO AMEND AN EXISTING RECIPROCAL FISHING AGREEMENT SO AS TO RECOGNIZE THE VALIDITY OF ALABAMA AND GEORGIA FISHING LICENSES IN THE WATERS OF THE CHATTAHOOCHEE RIVER MEANDERING IN A SOUTHERLY DIRECTION FROM THE SOUTH FACE OF THE WEST POINT DAM TO THE POINT WHERE SAID RIVER IS INTERSECTED BY THE RIGHT-OF-WAY OF THE INTERSTATE 85 BRIDGE LINKING HARRIS COUNTY, GEORGIA, AND CHAMBERS COUNTY, ALABAMA.

U. W. CLEMON,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 69. To provide that anyone convicted of the felonies of murder, rape or armed robbery and incarcerated by the state shall be held in maximum security detention and shall not be assigned to prison farms or to work release centers and activities.

was taken up.

Mr. Adams offered the following amendment to the Bill, S. B. 69, to-wit:

AMENDMENT TO S. B. 69

Amend Senate Bill No. 69 by striking out in the synopsis "murder, rape or armed robbery" and substituting in lieu thereof "murder in the first

degree" and in the body of the bill on line 20 and 26 "murder, rape and armed robbery" and substituting in lieu thereof "murder in the first degree"

Which was adopted.

Yeas 23; Nays 4.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Foshee, Goodwin, Higginbotham, Jones, Little, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Peden, Perloff, Perry, Proctor, Stewart, Teague, Vacca.

—23

Nays: Messrs. Fine, Gilmore, Mitchell, Shelby.

—4

And said Bill, S. B. 69, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 1.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

—28

Nay: Mr. Pearson.

—1

The Bill:

S. 34. To provide further for the establishment of rates of payment for electrical energy produced by companies regulated by the Public Service Commission.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 2.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, Little, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Peden, Perloff, Powell, Proctor, Roberts, Shelby, Vacca, Wilson.

—24

Nays: Messrs. Adams, St. John.

—2

The Bill:

S. 35. To amend Section 40-18-20 of the Code of Alabama 1975, relating to a state income tax exemption for military retirement benefits so as to provide further for such exemption.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 1.

Yeas:

Messrs. Bank, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

—27

Nay: Mr. Edwards.

—1

The Bill:

S. 36. To amend Section 11 of Act No. 584, H. 426 of the 1978 Regular Session, approved April 27, 1978, which section sets the number of session days for the various counties, so as to eliminate a duplication for Geneva County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McMillan, Mims, Mitchell, Pearson, Peden, Perloff, Perry, Powell, Proctor, St. John, Stewart, Teague, Vacca.

—25

Nays:

—0

MOTION TO ADJOURN LOST

At 3:45 P.M., Mr. Edwards moved that the Senate adjourn until Thursday, August 3, 1978, at 4 o'clock P.M., which motion was lost.

Yeas 9; Nays 20.

Yeas:

Messrs. Baker, Edwards, Fine, Foshee, Jones, McDonald (A), Mitchell, Peden, Perloff.

—9

Nays:

Messrs. Bank, Clemon, Ellis, Gilmore, Goodwin, Higginbotham, King, Little, McMillan, Mims, Noonan, Owen, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca.

—20

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Mitchem, Manley, Turnham, Smith (M), Quarles,

Waggoner, Gafford, Ford, Sandusky, Hill, Crowe, Moore (O), Kelley, Warren, Greer, Dial, Smith (B), Falkenburg, Morris, Roberts, Sonnier, Cross, McCulley, Lee, Towns, Clark, Pegues, Drake, Carothers, Sasser, McCluskey, Whatley, Edwards, Baker, Williams, Jackson (F), Kennedy, Carter, Lutz, Weeks, Shoemaker, Naramore, Crawford, Armstrong, Kinsey, Thomas, Johnstone, Smith (C), Plaster, Robertson, Holley, Merrill, Venable, Glass and Howard:

H. 47. To authorize Alabama Public School and College Authority to sell and issue two hundred and twenty million dollars (\$220,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of the Act should be held invalid such holding shall not affect the validity of any other portion thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 47. To the Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mitchell:

S. 46. To exempt the Hi-Pine Water and Fire Protection Authority in

Crenshaw County, Alabama, from the provisions of Section 40-21-82 of the Code of Alabama 1975, which levies a certain tax on the gross receipts and gross sales of certain utilities.

By Mr. Mitchell:

S. 88. To amend Section 40-6-3 of the Code of Alabama 1975, as amended, so as to provide further for the compensation of supernumerary tax collectors, tax assessors and license commissioners or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama having a population of less than 600,000 inhabitants.

Mr. Bank, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mitchell:

S. 45. To require certain minimum deposits into a trust fund of proceeds from sales of grave space in an endowment or perpetual care cemetery; to require a minimum deposit into an irrevocable trust fund by any person establishing endowment or perpetual care cemeteries after the effective date of this Act; to provide for certain contractual provisions; to provide for the supervision and control of such trust funds; to provide for penalties for violation; to provide for enforcement and supervision by the district attorneys of the several judicial circuits; to provide for the recording of certain reports in the several probate courts; to provide for licenses to be obtained from the probate judge; and for related purposes.

BILLS ON THIRD READING RESUMED

The Bill:

S. 73. To appropriate one million dollars (\$1,000,000.00) to the state highway department from the state general fund as an emergency appropriation to be used to repair roads and bridges in Baldwin County damaged by the torrential rains and floods on the 26th day of July, 1978.

was taken up.

Mr. Edwards offered the following amendment to the Bill, S. B. 73, to-wit:

AMENDMENT TO S. B. 73

Amend Senate Bill No. 73 Page 1 Line 13, 24, 31, by inserting after the word Baldwin the following:

Morgan, Calhoun, Winston, Montgomery, Lawrence, Tallapoosa, Limestone, Dallas, Marengo, Perry, Autauga, Greene, Sumter, Lauderdale, Colbert, Franklin, Jefferson, Mobile, Madison, Limestone, Chambers, Lee, Randolph and on lines 14, 25 and 32 after the word "on" insert the word "approximately"

And on lines 10, 21, and 30 after the figure (\$1,000,000.00) the word "each"

On motion of Mr. Owen, said amendment was laid on the table.

Yeas 13; Nays 8.

Yeas:

Messrs. Foshee, Gilmore, Goodwin, King, Mims, Mitchell, Owen, Pearson, Powell, Shelby, Stewart, Teague, Waldrop.

—13

Nays:

Messrs. Edwards, Ellis, Jones, Little, McDonald (A), Noonan, Peden, St. John.

—8

And said Bill, S. B. 73, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 2.

Yeas:

Messrs. Adams, Bank, Ellis, Foshee, Gilmore, Goodwin, Higginbotham, Jones, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Powell, Proctor, Shelby, Stewart, Vacca, Waldrop, Wilson.

—23

Nays: Messrs. Edwards, McDonald (A).

—2

The Bill:

S. 13. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of 1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 2.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Teague, Vacca, Wilson.

—27

Nays: Messrs. Little, McDonald (A).

—2

The Bill:

S. 38. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code

of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, Shelby, Stewart, Teague, Vacca.

—29

Nays:

—0

The Bill:

S. 48. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Perry, Powell, Proctor, Shelby, Teague, Vacca.

—25

Nays:

—0

The Bill:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

was taken up.

Mr. King offered the following amendment to the Bill, S. B. 49, to-wit:

AMENDMENT TO S. B. 49

Amend Senate Bill 49, on page 2 by adding the following Section 2:

Section 2. No health insurance company public or private which is engaged in the business of selling to the public, insurance which covers the same medical services as those provided by the Alabama Medicaid Program

shall be eligible to contract with the Medical Services Administration as its fiscal intermediary.

Re-number the subsequent sections chronologically.

Which was adopted.

Yeas 19; Nays 3.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Foshee, Higginbotham, Jones, King, Little, McDonald (A), Mims, Mitchell, Noonan, Owen, Peden, Powell, Proctor, Stewart, Wilson.

—19

Nays: Messrs. Goodwin, Perry, Vacca.

—3

And said Bill, S. B. 49, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Perry, Proctor, Teague, Vacca.

—21

Nays:

—0

The Bill:

S. 77. To provide the manner corporations not of a business nature may amend or alter their charters.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Higginbotham, King, Little, McDonald (A), McMillan, Mims, Noonan, Owen, Peden, Proctor, Roberts, Teague, Vacca.

—19

Nays:

—0

The Bill:

S. 17. To amend section 16-25-1 and 16-25-21, Code of Alabama 1975, which relate to the state teachers' retirement system, so as to redefine the term "teacher" to include employees or officers of the American Federation of Teachers, and providing for certain contributions into the system, thereby allowing such persons to participate in the state teachers' retirement system.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 1.

Yeas:

Messrs. Adams, Bank, Ellis, Fine, Foshee, Goodwin, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Powell, Stewart, Teague.

—19

Nay: Mr. Higginbotham.

—1

The Bill:

S. 26. To direct the Alabama Historical Commission to erect a monument on the state capitol grounds in Montgomery, Alabama, in honor of Senator James B. Allen, to appropriate certain money to carry out the purpose of this act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Messrs. Adams, Bank, Ellis, Fine, Foshee, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Owen, Peden, Powell, Roberts, Teague, Vacca.

—19

Nays:

—0

The Bill:

S. 52. To exempt the Grand Chapter of the Order of the Eastern Star of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

was taken up.

Mr. Jones offered the following amendment to the Bill, S. B. 52, to-wit:

AMENDMENT TO S. B. 52

Amend Senate Bill No. S. 52 Page 1 Line 9, by striking out the following:

"Synopsis: This bill exempt the Grand Chapter of the Order of the Eastern Star from all state, county and municipal sales and use taxes;" and inserting the following:

Synopsis: This bill exempt the Grand Chapter of the Order of the Eastern Star and the South Alabama State Fair Association from all state, county and municipal sales and use taxes.

Also amend S. 52 by inserting after the word Star on line 18 "and the South Alabama State Fair Association.

Also amend S. 52 on line 22 by inserting after the word Star - and the South Alabama State Fair Association.

Which was adopted.

Yeas 16; Nays 0.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Foshee, Jones, King, Little, McMillan, Mims, Mitchell, Peden, Powell, Roberts, Shelby, Teague.

—16

Nays:

—0

And said Bill, S. B. 52, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 0.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, Foshee, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Peden, Powell, Roberts, Vacca.

—17

Nays:

—0

(A quorum of the Senate was present, but not voting.)

The Bill:

S. 81. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 do not have to be republished.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Goodwin, Higginbotham, King, Little, McDonald (A), McMillan, Mims, Mitchell, Peden, Perloff, Teague, Vacca.

—17

Nays:

—0

(A quorum of the Senate was present, but not voting.)

The Bill:

S. 79. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and farming facilities when such businesses come within the same circumstances.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), Mitchell, Peden, Powell, Teague, Vacca.

—17

Nays:

—0

(A quorum of the Senate was present, but not voting.)

The Bill:

S. 16. To amend Sections 32-1-1, 32-5-64, and 32-12-20, Code of Alabama 1975 so as to define a motorized bicycle and to provide that a motorized bicycle be treated as a separate and unique form of motor vehicle.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (S), Mims, Mitchell, Owen, Peden, Perloff, Powell, Teague.

—20

Nays:

—0

The Bill:

S. 19. To define motorized bicycles, to prescribe the licensing procedure and allocation of license fees, to apply certain rules of the road and safety requirements and to require no insurance for the operation of such motorized bicycles.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 15; Nays 0.

Yeas:

Messrs. Adams, Bank, Ellis, Goodwin, Higginbotham, Jones, Little, McDonald (A), Mims, Mitchell, Owen, Peden, Shelby, Teague, Vacca.

—15

Nays:

—0

(A quorum of the Senate was present, but not voting.)

The Bill:

S. 7. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt car pools and van pools from regulation by the Public Service Commission and municipalities.

was taken up.

Mr. McDonald (A) offered the following amendment to the Bill, S. B. 7, to-wit:

AMENDMENT TO S. B. 7

Amend S. B. 7, page 1, the title, line 19, by inserting after the word "exempt" the following:

church owned buses

Also, in Section 1, page 4, between lines 14 and 15, amend by inserting the following:

(9) church owned buses used for carrying passengers to and from religious services, regardless of size and capacity.

Also, in Section 1, page 5, line 11, amend by inserting after the word "thereof", the following:

to regulate any church owned buses used for carrying passengers to and from religious services, regardless of size and capacity, or

Which was adopted.

Yeas 14; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Goodwin, Jones, Little, McDonald (A), Owen, Peden, Teague, Vacca, Waldrop.

—14

Nays:

—0

And said Bill, S. B. 7, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, Little, McDonald (A), Mitchell, Owen, Peden, Proctor, Shelby, Teague, Vacca, Waldrop.

—19

Nays:

—0

The Bill:

S. 67. To amend Section 1 of Act No. 600, H. 1134, 1977 Regular Session (Acts 1977, p. 805), as amended, relating to pay increases for certain law enforcement officers, so as to provide a pay increase beginning October 1, 1978, for law enforcement officers employed by the Department of Mental Health.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Bank, Ellis, Fine, Foshee, Goodwin, Jones, Little, McDonald (A), Mitchell, Owen, Peden, Proctor, Stewart, Teague, Vacca, Waldrop, Wilson.

—18

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Peden, consideration of the Bills, S. B.'s 4 and 54, was indefinitely postponed.

RESOLUTION

Mr. Gilmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 27. NAMING THE INDUSTRIAL TRAINING CENTER TO BE CONSTRUCTED AT BESSEMER STATE TECHNICAL COLLEGE, "MILLSAP INDUSTRIAL TRAINING CENTER."

WHEREAS, Mr. Robert Millsap has served as Chairman of Bessemer State Technical College's Advisory Council since 1965, and has contributed many hours of his time in the development of the College in providing leadership with business and industry representatives; and

WHEREAS, it was through his efforts and dedication for Trade and Technical Education that brought about the establishment of Bessemer Trade School through state officials and the Trade School and Junior College Authority in 1962-1963; Mr. Millsap, as Chairman, gained the citizens' support of contributions to obtain the property where the College is located; and

WHEREAS, he has served on the Governor's Advisory Committee and is past president of the Bessemer Board of Education and Bessemer Chamber of Commerce; and

WHEREAS, since 1965 Bessemer State Technical College has grown to become the largest Technical College in the State of Alabama serving over 2200 students in technical training; and

WHEREAS, construction will begin in the spring of 1978 for an Industrial Training Center with the opening and dedication to be held in the fall; this new center will serve specialized training for business and industry; and

WHEREAS, to honor Mr. Robert Millsap, the College's Advisory Council has approved the designation of this facility as, "Millsap Industrial Training Center"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Industrial Training Center to be constructed at Bessemer State Technical College is hereby named and designated as, "Millsap Industrial Training Center."

BE IT FURTHER RESOLVED, That proper authorities are directed to cause appropriate signs and markers to be erected and maintained in so designating said facility as, "Millsap Industrial Training Center."

On motion of Mr. Gilmore, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Manley, Owens, Robertson and Sonnier:

H. 37. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 37. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cooper, Younce, Quarles, Jackson (F), McCulley, Turnham, Edwards, Weeks, Carothers, Smith (J), Towns, Williams, Carter, Moore (W), Sparks, McNees, Morris, Clark, Pegues, Sonnier, Langford, Glass, Manley, Kennedy, Lutz, Johnstone, Callahan, Buskey:

H. 10. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee, as follows:

H. B. 10. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Callahan, Drake, Pegues, Manley, McCorquodale, Cooper, Waggoner, McNair, Carothers, Crawford, Roberts, Sandusky, Younce, Campbell, Warren, Jackson (F), and Reed (T):

H. 146. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bona fide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and awards of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periodic auditing of approved institutions; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to provide for severability; to repeal conflicting laws; and to provide an effective date.

Also:

By Messrs. Holmes (A), Reed, McCorquodale, Morris, Drake, Sparks, Shelton, Manley, Lockett, Robertson, Langford, Sonnier, Crowe, Kennedy, Buskey, Cooper, Warren, Carothers, Plaster, Smith (C), Gafford, Smith (B), Merrill, Dial, Mitchem, Thomas, McCulley, Falkenburg, Smith (M), Glass, Lutz, Smith (J), and Edwards:

H. 179. To make a conditional appropriation from the general fund of the State Treasury, to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 146 and 179. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cooper, Younce, Quarles, Jackson (F), McCulley, Turnham, Edwards, Weeks, Carothers, Smith (J), Towns, Carter, Moore (W), Sparks,

McNees, Morris, Clark, Pegues, Sonnier, Langford, Glass, Kennedy, Lutz, Johnstone, Callahan, Buskey, Owens, and Venable:

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as _____ Bill No. _____ introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded, and to provide for certain notice provisions prior to the selection of sites for correctional institutions and other details of construction.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 9. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pegues, Quarles, Plaster, Mitchem, Merrill, Robertson, Coburn, Sasser, Crowe, Jackson (F), Campbell, Manley, Waggoner, Killian, Edwards, Weeks, Owens, McNees, Carter, Riddick, Moore (O), Cooper, Roberts, Moore (W), Ray, Morris, Gafford, Warren and Shoemaker:

H. 23. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the additional bonds to counties, municipalities, and municipal and county industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell its bonds for the purpose of making these grants; to provide that the bonds and the income therefrom shall be exempt from taxation, that the bonds may be used to secure deposits of funds of the State and its political

subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the State; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds; to make appropriations and pledges of funds from the taxes levied by sections 40-25-2 and 20-25-41, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that all principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

By Messrs. Pegues, Plaster, Merrill, Robertson, Mitchem, Coburn, Quarles, Sasser, Crowe, Jackson (F), Campbell, Manley, Waggoner, Killian, Edwards, Weeks, Owens, McNees, Carter, Riddick, Moore (O), Cooper, Roberts, Moore (W), Ray, Morris, Gafford, Warren and Shoemaker:

H. 24. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Also:

By Mr. Carothers:

H. 19. To transfer certain monies previously appropriated to the use of the Department of Conservation and Natural Resources for the repair of the dam at Chattahoochee State Park to the use of the said department for the purpose of Parks Fund.

Also:

By Messrs. Riddick, Greer, Hill, Mitchem, Coburn, Goodwin, Carter, Sparks, Kelley, Moore (W), Ford, Crowe, Smith (B), Weeks, Armstrong, Cross, Lutz, Martin, Killian, Towns and Roberts:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

Also:

By Messrs. White, Manley, Gafford, Falkenburg, Boles, Hall, Pegues, Campbell, Roberts, Martin, Armstrong, Morris and Lockett:

H. 166. To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session 1978, to

provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 23, 24, 19, 65, and 166. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owens:

H. 127. To provide for the establishment of a reserve state trooper force and places said reserve state troopers under the direction of the director of the Department of Public Safety or a member of the Alabama State Troopers and provides said reserve state troopers with the authority to carry firearms when summoned by the Department of Public Safety.

Also:

By Mr. Campbell:

H. 150. To vest regulatory authority over hazardous waste management in the State Board of Health: to authorize the Board to accept and administer lands to be used as disposal sites for hazardous wastes; to vest perpetual responsibility for such sites in the State; to establish the Hazardous Wastes Technical Advisory Committee; to place certain responsibilities for hazardous waste management upon the Board; to empower the Board to develop and revise criteria for identifying hazardous wastes and to list such wastes; to empower the Board to adopt and revise rules and regulations, guidelines, criteria and standards; to require permits for hazardous waste management practices and establish procedures for such permitting; to require generators of hazardous wastes to dispose of such wastes in an approved manner; to place certain responsibilities upon generators of hazardous wastes, transporters of hazardous wastes and operators of hazardous waste storage and treatment facilities and disposal sites; to require the use of a manifest; to require the reporting of hazardous wastes generated by the generator; to provide for penalties and remedies; to provide for administration and enforcement; to allow appeal; and to establish the Hazardous Wastes Management Fund and to make appropriations therefrom.

Also:

By Messrs. Hill and Greer:

H. 105. To amend section 36-27-7.1, Code of Alabama 1975, so as to provide further for the partial participation of certain retired employees of the cooperative extension service of Auburn University in the state employ-

ees' retirement system under the provisions of section 36-27-7, Code of Alabama 1975, upon such employees making a certain contribution to the state employees' retirement system.

Also:

By Mr. Drake:

H. 164. To provide for distinctive motorcycle license plates for Shrine motorcycle club, corps or unit members; to provide for the design of such license plate; and to provide a procedure for issuance thereof.

Also:

By Messrs. Naramore and Crowe:

H. 51. To amend Section 9-16-34, Code of Alabama 1975, the "Alabama Surface Mining Reclamation Act of 1975," so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer certain provisions of the Federal Initial Regulatory Program for a certain period of time, and to retain certain constitutional powers to the state.

Also:

By Mr. Crawford:

H. 131. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1979, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 127, 150, 105, 164, 51, and 131. To the Committee on Finance and Taxation.

ADJOURNMENT

At 11:50 P.M., Mr. Edwards moved that the Senate adjourn until Thursday, August 3, 1978, at 4:01 P.M.

Mr. Mitchell offered a substitute that the Senate adjourn until Thursday, August 3, 1978, at 3:30 P.M., which motion was lost.

The question was then on the motion of Mr. Edwards, which was adopted, and at 11:51 P.M., the Senate adjourned until Thursday, August 3, 1978, at 4:01 P.M.

FOURTH LEGISLATIVE DAY

THURSDAY, AUGUST 3, 1978

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend James E. Jones, Pastor, Eastern Hills Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—34

JOURNAL

On motion of Mr. Owen, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

MASTON MIMS,
Vice Chairman.

COMMITTEE REPORT

On motion of Mr. Mims, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Owen, leave of absence was granted Mr. Clemon for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Dial:

H. J. R. 50. HONORING MR. WILLIAM H. G. "BILL" FRANCE,
FOUNDER OF THE ALABAMA INTERNATIONAL MOTOR SPEEDWAY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Stewart, the Rules were suspended and the Resolution, H. J. R. 50, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Mr. Roberts offered the following Senate Resolution, to-wit:

S. R. 28. REQUESTING THE SUPREME COURT TO ALLOW THE SENATE OF ALABAMA TO WITHDRAW THEIR REQUEST FOR AN ADVISORY OPINION RELATIVE TO SENATE BILL NO. 87 OF THE SECOND SPECIAL SESSION OF THE 1978 ALABAMA LEGISLATURE.

WHEREAS, the Senate of Alabama in Senate Resolution 23 requested an advisory opinion of the Justices of the Supreme Court relative to Senate Bill 87; and

WHEREAS, they no longer desire to receive an advisory opinion on this matter and wish to withdraw this request for an opinion; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That we respectfully request that the Supreme Court allow us to withdraw Senate Resolution 23 requesting an advisory opinion of the Justices of the Supreme Court relative to Senate Bill 87.

RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send copies of this resolution to the Clerk of the Supreme Court and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this resolution.

On motion of Mr. Roberts, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 46. To exempt the Hi-Pine Water and Fire Protection Authority in Crenshaw County, Alabama, from the provisions of Section 40-21-82 of the Code of Alabama 1975, which levies a certain tax on the gross receipts and gross sales of certain utilities.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Fine, Foshee, Goodwin, Higginbotham, King, Little, Mims, Mitchell, Noonan, Owen, Peden, Perry, Powell, Roberts, Shelby, Teague.

Nays: —0

The Bill:

S. 88. To amend Section 40-6-3 of the Code of Alabama 1975, as amended, so as to provide further for the compensation of supernumerary tax collectors, tax assessors and license commissioners or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama having a population of less than 600,000 inhabitants.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Fine, Goodwin, Higginbotham, King, Little, Mims, Mitchell, Noonan, Owen, Peden, Perry, Powell, Roberts, Shelby, Waldrop.

—18

Nays: —0

The Bill:

S. 45. To require certain minimum deposits into a trust fund of proceeds from sales of grave space in an endowment or perpetual care cemetery; to require a minimum deposit into an irrevocable trust fund by any person establishing endowment or perpetual care cemeteries after the effective date of this Act; to provide for certain contractual provisions; to provide for the supervision and control of such trust funds; to provide for penalties for violation; to provide for enforcement and supervision by the district attorneys of the several judicial circuits; to provide for the recording of certain reports in the several probate courts; to provide for licenses to be obtained from the probate judge; and for related purposes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Goodwin, Higginbotham, King, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Shelby, Teague, Vacca, Waldrop.

—18

Nays: —0

RESOLUTIONS

Messrs. Owen and Mims offered the following Senate Joint Resolution, to-wit:

S. J. R. 29. URGING THE ALABAMA COMMISSIONER OF AGRICULTURE AND INDUSTRIES AND THE AUBURN COOPERATIVE

EXTENSION SERVICE TO WORK WITH THE FEDERAL DRUG ADMINISTRATION TO STAMP OUT AFLATOXIN WHICH IS AFFECTING THE CORN CROP IN ALABAMA.

WHEREAS, the 1977 corn crop in Alabama was badly distressed by the presence of aflatoxin, a toxic mold which developed under last year's extreme drought conditions; regulations of the Federal Food and Drug Administration prohibit the interstate sale of any product containing an aflatoxin level of more than 20 parts per billion; and

WHEREAS, much of this year's crop, despite ideal growing conditions, is being rejected as a result of Federal Grain Inspection Service tests being conducted at the Alabama State Docks with the result that Alabama farmers are losing more than \$1,700 per average truckload rejected because of aflatoxin levels; and

WHEREAS, conflicting test results further raise the question as to the extent of infestation of this year's corn crop and as to the accuracy of some of the tests which have resulted in rejection; and

WHEREAS, the Alabama Legislature urges the Food and Drug Administration to issue permits to blend the 1978 corn crop so as to allow 100 parts per billion, for movement in interstate commerce, to be used in the feeding of certain animals; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge the Commissioner of Agriculture and Industries and the Auburn Cooperative Extension Service to accurately determine the extent of aflatoxin infestation of this year's Alabama corn crop and to urge the Federal Drug Administration to accelerate this process so that Alabama's corn crop can be sold without more delay to our corn growers.

BE IT FURTHER RESOLVED, THAT copies of this resolution be sent to the Alabama Commissioner of Agriculture and Industries, the Director of the Auburn Cooperative Extension Service and to the Federal Food and Drug Administration in Washington, D.C.

On motion of Mr. Owen, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Fine, Ellis, King, Peden, Adams, Baker, Bank, Edwards, Foshee, Gilmore, Goodwin, Higginbotham, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 30. EXPRESSING INTENT OF THE LEGISLATURE AS TO CERTAIN SALARY INCREASES GRANTED TO CERTAIN SCHOOL EMPLOYEES AND CERTAIN EMPLOYEES OF CITY AND COUNTY BOARDS OF EDUCATION BY ACT NO. 637, H. 482, 1977 REGULAR SESSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the salary increases provided to certain school employees and certain employees of county and city boards of education by section 3. A. 16 (ii) of Act No. 637, H. 482, 1977 Regular Session (Acts of Alabama 1977, p. 1040) were intended by this legislative body to be a continuing increase, which is supplemental to any salaries otherwise negotiated by such employees.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Manley, et al (With Amendments):

H. 170. To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

The above Bill was read a second time at length as required by the Constitution.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Manley, et al:

H. 171. To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Manley, et al (With Amendment):

H. 172. To provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and

not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the department of revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act.

By Mr. Manley, et al (With Amendment):

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of less than \$700,000.00 at each place of business of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Manley, et al:

H. 174. To exempt homesteads of persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind, from all ad valorem property taxes levied by the state of Alabama; to exempt principal residences of persons over 65 years of age or who are totally disabled from all ad valorem taxation in the state; to amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975; and to provide an effective date for the act.

By Mr. Owens, et al:

H. 175. To exempt homesteads from all ad valorem property taxes levied by any county of the State of Alabama; to specify the amount of such exemption and the taxpayers eligible to claim such exemption; to provide a greater homestead exemption for persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind; and to provide an effective date for the act.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with

amendments, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Manley, Owens, Robertson and Sonnier (With Amendments):

H. 37. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper, et al:

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as _____ Bill No. _____ introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded, and to provide for certain notice provisions prior to the selection of sites for correctional institutions and other details of construction.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper, et al (With Substitute):

H. 10. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

The above Bill was read a second time at length as required by the Constitution.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carothers:

H. 19. To transfer certain monies previously appropriated to the use of the Department of Conservation and Natural Resources for the repair of the dam at Chattahoochee State Park to the use of the said department for the purpose of Parks Fund.

By Mr. Pegues, et al:

H. 24. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

By Mr. Pegues, et al:

H. 23. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the additional bonds to counties, municipalities, and municipal and county industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell its bonds for the purpose of making these grants; to provide that the bonds and the income therefrom shall be exempt from taxation, that the bonds may be used to secure deposits of funds of the State and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the State; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds; to make appropriations and pledges of funds from the taxes levied by sections 40-25-2 and 40-25-41, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that all principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

By Messrs. Naramore and Crowe:

H. 51. To amend Section 9-16-34, Code of Alabama 1975, the "Alabama Surface Mining Reclamation Act of 1975," so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer certain provisions of the Federal Initial Regulatory Program for a certain period of time, and to retain certain constitutional powers to the state.

By Mr. Riddick, et al:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

By Messrs. Hill and Greer:

H. 105. To amend section 36-26-7.1, Code of Alabama 1975, so as to provide further for the partial participation of certain retired employees of the cooperative extension service of Auburn University in the state employees' retirement system under the provisions of section 36-26-7, Code of Alabama 1975, upon such employees making a certain contribution to the state employees' retirement system.

By Mr. Owens:

H. 127. To provide for the establishment of a reserve state trooper force and places said reserve state troopers under the direction of the director of the Department of Public Safety or a member of the Alabama State Troopers and provides said reserve state troopers with the authority to carry firearms when summoned by the Department of Public Safety.

By Mr. Crawford:

H. 131. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1979, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

By Mr. Callahan, et al:

H. 146. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bona fide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and award of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to provide for severability; to repeal conflicting laws; and to provide an effective date.

By Mr. Campbell:

H. 150. To vest regulatory authority over hazardous waste management in the State Board of Health: to authorize the Board to accept and administer lands to be used as disposal sites for hazardous wastes; to vest perpetual responsibility for such sites in the State; to establish the Hazardous Wastes Technical Advisory Committee; to place certain responsibilities for hazardous waste management upon the Board; to empower the Board to develop and revise criteria for identifying hazardous wastes and to list such wastes; to empower the Board to adopt and revise rules and regulations, guidelines, criteria and standards; to require permits for hazardous waste

management practices and establish procedures for such permitting; to require generators of hazardous wastes to dispose of such wastes in an approved manner; to place certain responsibilities upon generators of hazardous wastes, transporters of hazardous wastes and operators of hazardous waste storage and treatment facilities and disposal sites; to require the use of a manifest; to require the reporting of hazardous wastes generated by the generator; to provide for penalties and remedies; to provide for administration and enforcement; to allow appeal; and to establish the Hazardous Wastes Management Fund and to make appropriations therefrom.

By Mr. Drake:

H. 164. To provide for distinctive motorcycle license plates for Shrine motorcycle club, corps or unit members; to provide for the design of such license plate; and to provide a procedure for issuance thereof.

By Mr. White, et al:

H. 166. To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session 1978, to provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

Mr. Baker, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Weeks and McNees (with notice and proof):

H. 78. Relating to Marion County; to provide an additional expense allowance for members of the county board of education.

By Mr. Killian (with notice and proof):

H. 17. Relating to DeKalb County; authorizing the county commission and the governing bodies of the several incorporated municipalities in said county to make appropriations and expenditures from their respective general funds for the maintenance and support of certain rescue squads operating within said county.

By Mr. Sasser (with notice and proof):

H. 118. To alter and rearrange the boundaries of the Town of Ariton, Dale County, Alabama, so as to annex and include within the corporate limits thereof, the territory hereinafter described.

By Messrs. Plaster and Edwards (with notice and proof):

H. 115. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks.

By Mr. Wyatt:

H. 70. To propose an amendment to the Constitution of Alabama to authorize the governing body of Montgomery County to establish and maintain firefighting districts within such county; to enter into agreements with

volunteer fire departments within such county for fire protection and services; to set fees for fire protection services and to prescribe the manner of collection and distribution of such fees.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Clark and Manley (with notice and proof):

H. 26. Relating to Greene County; authorizing compensation for clerical assistance for the Tax Assessor and Tax Collector of Greene County and providing payment of such compensation out of county funds.

By Messrs. Campbell and Manley (with notice and proof):

H. 152. Relating to Sumter County; to authorize the county commission to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor; such clerks to be appointed for a term and paid an amount established by the said county commission; and providing for an expiration date of such authority.

By Messrs. Campbell and Manley (with notice and proof):

H. 154. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Livingston, in Sumter County.

By Messrs. Manley and Pegues (with notice and proof):

H. 122. Relating to Marengo County; to repeal Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which act regulates the compensation of the sheriff of said county.

By Messrs. Manley and Pegues:

H. 121. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

By Messrs. Crawford and Sasser (with notice and proof):

H. 137. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Tax Equalization of Henry County.

By Messrs. Holley and Ray (with notice and proof):

H. 156. Relating to Coffee County; regulating and providing for the compensation of election officers.

By Messrs. Crawford and Sasser (with notice and proof):

H. 132. Relating to Henry County, Alabama, only; to provide for compensation and expense allowance for the Coroner of said county.

By Messrs. Merrill, Shelton and Quarles (with notice and proof):

H. 42. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to include within the corporate limits of said City the following described parcels of land.

By Mr. Hines (with notice and proof):

H. 45. Relating to Escambia County; to provide for the compensation of the sheriff and all deputies sheriff other than the chief deputy sheriff in such county.

By Messrs. Merrill and Shelton (with notice and proof):

H. 43. Relating to Calhoun County; providing additional revenue in Calhoun County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Title 40, Chapter 26 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

By Mr. Merrill:

H. 44. Proposing an amendment to the constitution of Alabama which grants certain powers and authority to the governing body of the City of Anniston relating to the acquisition and development of industrial parks.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Merrill, Shelton and Quarles (with notice and proof):

H. 41. To authorize Calhoun County and municipalities therein which undertake to provide public programs or services related to animal control to establish and collect necessary fees, charges and rates, and to enter contracts with other governmental or private agencies for the operation and maintenance of such programs or services.

By Messrs. Merrill, Shelton and Quarles (with notice and proof):

H. 40. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to annex certain territory to the City of Anniston.

By Mr. McCulley (with notice and proof):

H. 54. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

By Mr. Cross:

H. 35. To provide the Circuit Judge of the 36th Judicial Circuit authority to expend public funds for certain purposes in connection with his office and official duties.

By Mr. McCulley (with notice and proof):

H. 52. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties

and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

By Messrs. Crowe and Sparks (with notice and proof):

H. 50. Relating to Winston County; to provide for the disposition of the proceeds of any coal and lignite severance tax distributed to the county by the state.

By Mr. McCulley (with notice and proof):

H. 53. Relating to Mobile County; to prohibit motorcross racing within one-half mile ($\frac{1}{2}$) of any occupied dwelling without the written consent of the occupant of such dwelling and to provide that the violation thereof shall be a Class C misdemeanor as defined by Act 607, S. 33, 1977 Regular Session (Acts 1977, p. 812).

By Mr. Ford (with notice and proof):

H. 1. Relating to the City of Gadsden, providing for the fixing and payment of salaries of members of the board of commissioners.

By Mr. McCorquodale (with notice and proof):

H. 3. Relating to Clarke County; to provide that incorporated municipalities within the county may donate public funds to the Clarke County Association for Retarded Citizens.

By Messrs. Sonnier and Cooper (with notice and proof):

H. 20. Relating to the City of Mobile; to amend the title and Sections 2, 4 and 5 of Act No. 421, 1971 Regular Session (Acts of 1971, p. 1153), so as to provide preservation districts.

By Messrs. Clark and Robertson (with notice and proof):

H. 25. Relating to Pickens County, Alabama, authorizing payment of expense allowances to members of the county governing body.

By Messrs. Carothers, Smith (J) and Crawford (with notice and proof):

H. 56. To amend the City of Dothan Pension and Retirement System by Act No. 103, Regular Session of the Alabama Legislature approved June 18, 1953 and amended by Act No. 424, Regular Session of the Alabama Legislature approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature approved July 12, 1971; Act No. 78, Regular Session of the Alabama Legislature approved July 25, 1975; Act No. 543, 1977 Regular Session, Alabama Legislature approved May 11, 1977.

By Mr. Johnstone, et al (with notice and proof):

H. 129. To fix the compensation for every district court or circuit court or grand jury bailiff in the Thirteenth Judicial Circuit and to provide for payment of a certain portion thereof by the county in which such bailiffs serve.

By Mr. Merrill (with notice and proof):

H. 111. Relating to Calhoun County; relating to the license commissioner; providing that the commissioner of license shall be elected, commencing with the term of office in 1981 and setting the salary of such officer;

providing for the conduct and manner of such election; and repealing the title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer.

By Mr. Merrill (with notice and proof):

H. 112. To amend and reenact Act No. 532, S. 713, 1978 Regular Session, which relates to salaries and expense allowances for certain officials of Calhoun County, so as to provide further for the salary and expense allowance of the coroner.

By Mrs. Quarles (with notice and proof):

H. 123. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

By Mr. Whatley:

H. 124. Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts for fire protection services.

The above Bill was read a second time at length as required by the Constitution.

Mr. Baker, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. McMillan (with notice and proof) (With Amendment):

H. 138. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

Mr. Baker, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Jackson (F), Holley and Smith (J) (with notice and proof):

H. 147. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Babbie in Covington County, Alabama, so as to annex certain territory to the Town of Babbie, in Covington County, Alabama.

By Messrs. Kinsey and McMillan (with notice and proof):

H. 102. To repeal Act No. 257, H. 852, 1977 Regular Session (Acts of 1977, p. 339) entitled, "An Act Relating to Baldwin County, to provide for the creation, incorporation, organization, operation, administration, and financing of one or more local public service districts within the county as public corporations so as to provide local fire fighting and prevention services; to provide for the fixing, levy and collection by such fire districts of rates, fees and charges for such services; to provide penalties for non-payment and liens upon the property within such districts; to provide for the borrowing of money

and issuance of bonds and other obligations by or on behalf of such fire districts; providing that the qualified electors of any prospective fire district shall give their prior approval to the creation of any such district as well as the rates, fees, charges, bond or other indebtedness thereto in an election thereon; to provide an election procedure for such voter approval; to prescribe the organization, rights, powers and duties of such districts; to prescribe limitations on such rights and powers, and to repeal conflicting laws."

By Messrs. Hill and Greer (with notice and proof):

H. 106. Relating to Lauderdale County; to authorize the Lauderdale County Board of Education to make discretionary expenditures from Lauderdale County public school funds for certain school purposes.

By Mr. Morris (with notice and proof):

H. 83. Relating to Tallapoosa County; to amend Section 1 of Act No. 487, S. 628, Regular Session 1969 (Acts of 1969, p. 948), entitled "Relating to Tallapoosa County; to regulate further the compensation and expense allowances of members of the county governing body", so as to increase the salary of the members of the county commission.

By Mr. Morris (with notice and proof):

H. 86. Relating to Tallapoosa County; to provide a mileage allowance for the members of the County Board of Registrars.

By Messrs. Gregg, Moore (W), Smith (B) and Albright (with notice and proof):

H. 85. Relating to Madison County; to permit persons to make returns of taxable property for ad valorem tax purposes, whether real or personal, by mail or by an authorized agent.

By Messrs. Sparks and Crowe (with notice and proof):

H. 77. Relating to Winston County; to provide an expense allowance for the circuit clerk and to give this act retroactive effect to January 1, 1978.

By Messrs. Martin, Roberts, Cross and Drake (with notice and proof):

H. 76. To amend Section 16 of Act 89, H. 234, Regular Session 1939 (Local Acts 1939, p. 47), creating the Municipal Utilities Board of Decatur so as to provide further for the procedure governing the expenditure of the funds of said board.

By Messrs. Carothers and Crawford (with notice and proof):

H. 57. To amend and re-enact Act No. 818, H. 1114, of the 1978 Regular Session, so as to provide further for the regulation of the sale of alcoholic beverages in Houston County by eliminating the requirement for a city alcoholic beverage license for the sale of spirituous or vinous liquors in said county; to provide that alcoholic beverages may be sold, served or given away by a licensee until 2:00 a.m. on Sunday morning; to further provide that there shall be no restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Jolly (with notice and proof):

H. 87. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Warrior, in Jefferson County, Alabama, so as to include within the corporate limits of said municipality certain additional territory.

By Mr. Harrison, et al (with notice and proof):

H. 92. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

ADJOURNMENT

At 5:20 P.M., on motion of Mr. Waldrop, the Senate adjourned until Friday, August 4, 1978, at 10 o'clock A.M.

FIFTH LEGISLATIVE DAY

FRIDAY, AUGUST 4, 1978

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Arthur Grimes, Director of Education and Music, Evangel Temple, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

JOURNAL

On motion of Mr. Owen, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

BILLS ON THIRD READING

The Bill:

H. 78. Relating to Marion County; to provide an additional expense allowance for members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Gilmore, Goodwin, Higginbotham, Jones, Little, McDonald (S), Mims, Noonan, Owen, Peden, Perloff, Perry, Proctor, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 17. Relating to DeKalb County; authorizing the county commission and the governing bodies of the several incorporated municipalities in said county to make appropriations and expenditures from their respective general funds for the maintenance and support of certain rescue squads operating within said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, Little, McDonald (S), Mims, Mitchell, Owen, Peden, Perry, Powell, Proctor, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 118. To alter and rearrange the boundaries of the Town of Arifton, Dale County, Alabama, so as to annex and include within the corporate limits thereof, the territory hereinafter described.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones,

Little, McDonald (S), Mims, Owen, Pearson, Peden, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 115. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Ellis, Fine, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 70. To propose an amendment to the Constitution of Alabama to authorize the governing body of Montgomery County to establish and maintain firefighting districts within such county; to enter into agreements with volunteer fire departments within such county for fire protection and services; to set fees for fire protection services and to prescribe the manner of collection and distribution of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Goodwin, Jones, Little, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Teague, Wilson.

—25

Nays:

—0

The Bill:

H. 26. Relating to Greene County; authorizing compensation for clerical assistance for the Tax Assessor and Tax Collector of Greene County and providing payment of such compensation out of county funds.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Goodwin, Jones, King,

Little, McDonald (A), McDonald (S), McMillan, Owen, Pearson, Peden, Perry, Powell, Proctor, Roberts, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 152. Relating to Sumter County; to authorize the county commission to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor; such clerks to be appointed for a term and paid an amount established by the said county commission; and providing for an expiration date of such authority.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Peden, Perry, Roberts, St. John, Shelby, Stewart, Teague, Vacca.

—25

Nays:

—0

The Bill:

H. 154. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Livingston, in Sumter County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Fine, Foshee, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, St. John, Shelby, Stewart, Teague, Vacca, Waldrop.

—25

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Goodwin, consideration of the Bill, H. B. 121, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 122. Relating to Marengo County; to repeal Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which act regulates the compensation of the sheriff of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Foshee, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 137. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Tax Equalization of Henry County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), Mims Mitchell, Owen, Pearson, Peden, Perry, Proctor, Roberts, St. John, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 156. Relating to Coffee County; regulating and providing for the compensation of election officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Foshee, Jones, Little, McDonald (S), Mitchell, Noonan, Owen, Pearson, Peden, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 132. Relating to Henry County, Alabama, only; to provide for compensation and expense allowance for the Coroner of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Peden, Perry, Proctor, Roberts, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

H. 42. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to include within the corporate limits of said City the following described parcels of land.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, McDonald (S), McMillan, Mims, Noonan, Perloff, Perry, Powell, Proctor, St. John, Stewart, Teague, Waldrop, Wilson.

—25

Nays: —0

The Bill:

H. 45. Relating to Escambia County; to provide for the compensation of the sheriff and all deputies sheriff other than the chief deputy sheriff in such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Gilmore, Jones, Little, McDonald (S), Mims, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

H. 43. Relating to Calhoun County; providing additional revenue in Calhoun County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on business of renting rooms, lodging or accommodations to transients as provided for in Title 40, Chapter 26 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee,

Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Perry, Powell, Proctor, Roberts, St. John, Stewart, Teague.

—25

Nays:

—0

The Bill:

H. 44. Proposing an amendment to the constitution of Alabama which grants certain powers and authority to the governing body of the City of Anniston relating to the acquisition and development of industrial parks.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Peden, Perloff, Perry, Proctor, Roberts, St. John, Stewart, Teague, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 41. To authorize Calhoun County and municipalities therein which undertake to provide public programs or services related to animal control to establish and collect necessary fees, charges and rates, and to enter contracts with other governmental or private agencies for the operation and maintenance of such programs or services.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, Little, McDonald (A), McDonald (S), Owen, Pearson, Peden, Perry, Powell, Proctor, St. John, Stewart, Teague, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 40. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to annex certain territory to the City of Anniston.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Ellis, Fine, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Stewart, Teague, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 54. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Ellis, Fine, Goodwin, Jones, Little, McDonald (S), McMillan, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 35. To provide the Circuit Judge of the 36th Judicial Circuit authority to expend public funds for certain purposes in connection with his office and official duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Owen, Peden, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 52. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Peden, Perloff, Powell, Shelby, Teague, Vacca, Wilson.

—25

Nays:

—0

The Bill:

H. 50. Relating to Winston County; to provide for the disposition of the proceeds of any coal and lignite severance tax distributed to the county by the state.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Peden, Perry, Powell, Proctor, St. John, Stewart, Teague, Vacca.

—25

Nays:

—0

The Bill:

H. 53. Relating to Mobile County; to prohibit motorcross racing within one-half mile ($\frac{1}{2}$) of any occupied dwelling without the written consent of the occupant of such dwelling and to provide that the violation thereof shall be a Class C misdemeanor as defined by Act 607, S. 33, 1977 Regular Session (Acts 1977, p. 812).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Perloff, Powell, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 3. Relating to Clarke County; to provide that incorporated municipalities within the county may donate public funds to the Clarke County Association for Retarded Citizens.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Foshee, Gilmore, Jones, Little, McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 20. Relating to the City of Mobile; to amend the title and Sections 2, 4 and 5 of Act No. 421, 1971 Regular Session (Acts of 1971, p. 1153), so as to provide preservation districts.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Perloff, Roberts, Shelby, Stewart, Vacca, Wilson.

—25

Nays:

—0

The Bill:

H. 25. Relating to Pickens County, Alabama, authorizing payment of expense allowances to members of the county governing body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Peden, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 56. To amend the City of Dothan Pension and Retirement System by Act No. 103, Regular Session of the Alabama Legislature approved June 18, 1953 and amended by Act No. 424, Regular Session of the Alabama Legislature approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature approved July 12, 1971; Act No.

78, Regular Session of the Alabama Legislature approved July 25, 1975; Act No. 543, 1977 Regular Session, Alabama Legislature approved May 11, 1977.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Foshee, Goodwin, Higginbotham, Little, McDonald (S), Mims, Mitchell, Noonan, Owen, Peden, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 129. To fix the compensation for every district court or circuit court or grand jury bailiff in the Thirteenth Judicial Circuit and to provide for payment of a certain portion thereof by the county in which such bailiffs serve.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Perloff, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 111. Relating to Calhoun County; relating to the license commissioner; providing that the commissioner of license shall be elected, commencing with the term of office in 1981 and setting the salary of such officer; providing for the conduct and manner of such election; and repealing the title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Peden, Perry, Powell, St. John, Stewart, Teague, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 112. To amend and reenact Act No. 532, S. 713, 1978 Regular Session, which relates to salaries and expense allowances for certain officials of Calhoun County, so as to provide further for the salary and expense allowance of the coroner.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Proctor, Roberts, St. John, Stewart, Teague, Waldrop.

—25

Nays:

—0

The Bill:

H. 123. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, McMillan, Mims, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, Shelby, Teague, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 124. Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts for fire protection services.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Higginbotham, Little, McDonald (S), McMillan, Mims, Noonan, Owen, Peden, Perry, Powell, Proctor, Roberts, St. John, Shelby, Vacca, Wilson.

—25

Nays:

—0

The Bill:

H. 138. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 138, to-wit:

On page 3, line 33, strike the word "Orange" and insert in lieu thereof the following:

Orchard

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Perloff, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

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Nays:

—0

And said Bill, H. B. 138, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Perloff, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 147. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Babbie in Covington County, Alabama, so as to annex certain territory to the Town of Babbie, in Covington County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Foshee, Jones, King, Little, Mims, Noonan, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 102. To repeal Act No. 257, H. 852, 1977 Regular Session (Acts of 1977, p. 339), entitled, "An Act Relating to Baldwin County, to provide for the creation, incorporation, organization, operation, administration, and financing of one or more local public service districts within the county as public corporations so as to provide local fire fighting and prevention services; to provide for the fixing, levy and collection by such fire districts of rates, fees and charges for such services; to provide penalties for non-payment and liens upon the property within such districts; to provide for the borrowing of money and issuance of bonds and other obligations by or on behalf of such fire districts; providing that the qualified electors of any prospective fire district shall give their prior approval to the creation of any such district as well as the rates, fees, charges, bond or other indebtedness thereto in an election thereon; to provide an election procedure for such voter approval; to prescribe the organization, rights, powers and duties of such districts; to prescribe limitations on such rights and powers, and to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Jones, King, Little, McMillan, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 106. Relating to Lauderdale County; to authorize the Lauderdale County Board of Education to make discretionary expenditures from Lauderdale County public school funds for certain school purposes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Peden, Perry, Powell, Proctor, St. John, Shelby, Teague, Vacca.

—25

Nays:

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The Bill:

H. 83. Relating to Tallapoosa County; to amend Section 1 of Act No. 487, S. 628, Regular Session 1969 (Acts of 1969, p. 948), entitled "Relating to Tallapoosa County; to regulate further the compensation and expense allow-

ances of members of the county governing body", so as to increase the salary of the members of the county commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, Little, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Vacca, Wilson.

—25

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, Lieutenant Governor, and Speaker of the House of Representatives relative to an appointment to the State Ethics Commission.

Respectfully submitted,

HENRY B. STEAGALL, II,
Executive Secretary.

Done this 31st day of July, 1978.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

We, the Appointing Board for the State Ethics Commission, have appointed the following named person as a member of the State Ethics Commission: Dr. George Bagley, Montgomery, Alabama, for the term expiring September 1, 1982.

As this appointment must be confirmed by your Body, we herewith transmit his name to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

JERE BEASLEY,
Lieutenant Governor.

JOE C. McCORQUODALE,
Speaker, House of Representatives.

Done this 31st day of July, 1978.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives, relative to an appointment to the State Ethics Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, Lieutenant Governor, and Speaker of the House of Representatives relative to an appointment to the State Ethics Commission.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

Done this 31st day of July, 1978.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

We, the Appointing Board for the State Ethics Commission, have appointed the following named person as a member of the State Ethics Commission: Dr. Leslie Wright, Birmingham, Alabama, for the term expiring September 1, 1978.

As this appointment must be confirmed by your Body, we herewith transmit his name to you for such action as may deem right and proper.

Respectfully,
GEORGE C. WALLACE,
Governor.

JERE BEASLEY,
Lieutenant Governor.

JOE C. McCORQUODALE,
Speaker, House of Representatives.

Done this 31st day of July, 1978.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives, relative to an appointment to the State Ethics Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Kinsey, McMillan and Younce:

H. J. R. 55. EXPRESSING THE DISPLEASURE OF THE LEGISLATURE AT RECENT ACTION OF THE CONSERVATION ADVISORY BOARD REGARDING THE USE OF NETS AND ALSO PLACING A LIMIT OF TWENTY-FIVE ON THE CATCHING OF SALT WATER SPECKLED TROUT.

WHEREAS, the Conservation Advisory Board at its recent midsummer annual meeting has requested the director of conservation to promulgate regulations which would prohibit the use of any form of gill or trammel net in the salt waters of this State having a length of less than 1,200 feet; and

WHEREAS, this regulation is very discriminatory against a small commercial fisherman and the individuals who wish to use these type nets under license by the Department of Conservation; and

WHEREAS, it is absolutely impractical to use such lengthy nets in many areas and in many circumstances; and

WHEREAS, the Conservation Advisory Board at the same meeting also requested the director of conservation to set a limit of twenty-five on the taking or catching of speckled trout by sports fishermen; and

WHEREAS, this is an impractical limit and is much opposed by the sports fishermen who utilize the coastal waters of this State; and

WHEREAS, Governor Wallace has often expressed his displeasure at the dictates and arbitrary rulings of bureaucratic boards; and

WHEREAS, this is again a perfect example of the old saying that "those people are governed best who are governed least"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the director of conservation be informed that they believe this recommendation by the Conservation Advisory Board to be unwise and they do respectfully request that he not follow this recommendation in the promulgation of these suggested restrictions on the use of gill and trammel nets and the limit on the number of speckled trout a sports fisherman may catch.

BE IT FURTHER RESOLVED That Governor Wallace is respectfully requested to use his influence with the members of the Conservation Advisory Board and the Director of Conservation to see that the wishes of the people are not ignored in this matter.

BE IT FURTHER RESOLVED That a copy of this resolution be sent by the Clerk of the House to the Governor, the director of conservation and each member of the Conservation Advisory Board.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 55, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 86. Relating to Tallapoosa County; to provide a mileage allowance for the members of the County Board of Registrars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Ellis, Fine, Gilmore, Goodwin, Higginbotham, Jones, Little, McDonald (S), Mims, Mitchell, Owen, Pearson, Peden, Perloff, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 85. Relating to Madison County; to permit persons to make returns of taxable property for ad valorem tax purposes, whether real or personal, by mail or by an authorized agent.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Proctor, Roberts, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 77. Relating to Winston County; to provide an expense allowance for the circuit clerk and to give this act retroactive effect to January 1, 1978.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Mims, Noonan, Pearson, Peden, Perry, Powell, Proctor, St. John, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 76. To amend Section 16 of Act 89, H. 234, Regular Session 1939 (Local Acts 1939, p. 47), creating the Municipal Utilities Board of Decatur so as to provide further for the procedure governing the expenditure of the funds of said board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Edwards, Fine, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, St. John, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 57. To amend and re-enact Act No. 818, H. 1114, of the 1978 Regular Session, so as to provide further for the regulation of the sale of alcoholic beverages in Houston County by eliminating the requirement for a city alcoholic beverage license for the sale of spirituous or vinous liquors in said county; to provide that alcoholic beverages may be sold, served or given away by a licensee until 2:00 a.m. on Sunday morning; to further provide that there shall be no restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Foshee, Jones, King, Little, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 87. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Warrior, in Jefferson County, Alabama, so as to include within the corporate limits of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Gilmore, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mitchell, Noonan, Pearson, Peden, Perloff, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Gregg, Albright, Riddick, Lutz, Moore (W) and Smith (B):

H. J. R. 54. COMMENDING THE HUNTSVILLE CITY SCHOOL SYSTEM AND THE ED WHITE MIDDLE SCHOOL.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 54, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Messrs. Ellis, Fine and McDonald (S) offered the following Senate Joint Resolution, to-wit:

S. J. R. 31. EXPRESSING LEGISLATIVE INTENT THAT EMPLOYERS' MATCHING PORTION OF UNEMPLOYMENT COMPENSATION LIABILITY FOR SCHOOL FOOD SERVICE EMPLOYEES BE PAID FROM THE SPECIAL EDUCATIONAL TRUST FUND.

WHEREAS, Act No.1, H. 1 of the 1978 First Special Session, expanded coverage to employees of the state and its instrumentalities and provided the manner of financing the benefit costs pursuant to the unemployment compensation laws for such employees; and

WHEREAS, there has arisen a question if the school food service program is a federal program or a service under the school systems; and

WHEREAS, the U.S.D.A. only supplements by commodities and a small reimbursement relative to the overall cost of serving children school lunches; and

WHEREAS, the legislature intended for school food service personnel to be treated, under the said Act No. 1, on the same basis as are teachers and other support personnel; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is the intent of the Alabama legislature that the employers' matching portion of unemployment compensation liability for school food service personnel be paid from the funds allocated pursuant to Section 13 of Act No. 1, H. 1 of the 1978 First Special Session, i.e., the Special Educational Trust Fund, on the same basis and in the same manner as such matching funds are paid for teachers and other support personnel.

RESOLVED FURTHER, That a copy of this resolution be sent to Dr. Wayne Teague of the Department of Education.

On motion of Mr. Ellis, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The house has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Carothers, Plaster, Smith (C) and Sandusky:

H. J. R. 56. MOURNING THE DEATH OF MR. FAY E. GUYTON, FORMER AUBURN UNIVERSITY PROFESSOR.

Also:

By Mr. Smith (C):

H. J. R. 57. COMMENDING MR. MARK JONES ON RECENT HONORS RECEIVED.

Also:

By Mr. Smith (C):

H. J. R. 58. CONGRATULATING THE SHELBY COUNTY NEWS, AWARD RECIPIENT OF THE ALABAMA PRESS ASSOCIATION.

Also:

By Mr. Smith (C):

H. J. R. 59. COMMENDING MR. FRED COOPER, COLUMNIST WITH THE SHELBY COUNTY NEWS.

Also:

By Mr. Dial:

H. J. R. 60. COMMENDING MISS JULIE HOUSTON, MISS ALABAMA 1977.

Also:

By Mr. Dial:

H. J. R. 61. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLEBURNE COUNTY.

Also:

By Mr. Dial:

H. J. R. 62. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLAY COUNTY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolutions, H. J. R.'s 56, 57, 58, 59, 60, 61, 62, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 92. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordnately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Gilmore, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mitchell, Noonan, Pearson, Peden, Perloff, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

—25

Nays:

—0

The Bill:

H. 37. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

was taken up.

Mr. Owen moved that consideration of the Bill, H. B. 37, be postponed temporarily, which motion was lost.

Yeas 14; Nays 15.

Yeas:

Messrs. Adams, Ellis, Foshee, Gilmore, Goodwin, McMillan, Mims, Mitchell, Owen, Pearson, Perry, Shelby, Teague, Vacca.

—14

Nays:

Messrs. Baker, Edwards, Fine, Higginbotham, Jones, King, Little, McDonald (S), Noonan, Peden, Perloff, Powell, Proctor, Roberts, St. John.

—15

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Ray (with notice and proof):

H. 188. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 188, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Messrs. Martin, Roberts, Cross and Drake (with notice and proof):

H. 190. To extend, alter and rearrange the boundaries and corporate limits of the City of Decatur, a municipal corporation in the State of Alabama so as to include within the corporate limits of the City of Decatur certain adjacent territory.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 190, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Reed (with notice and proof):

H. 191. Relating to Macon County; to provide further for the compensation of the county superintendent of education, and prescribing certain duties for such superintendent.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 191, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Hilliard (with notice and proof):

H. 192. To amend Title 12, Charter 19, Section 93 of the Code of Alabama 1975, so as to revise and establish fees and allowances paid to

constables; to repeal conflicting statutes or provisions thereof; to provide for an effective date.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 192, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Mr. Morris:

H. 82. To provide for regulation and retroactive adjustment of expense allowances for the district attorney for the Fifth Judicial Circuit in amounts equal to those already provided for the circuit judges.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 188, 190, 191, and 82. To the Committee on Local Legislation No. 1.

H. B. 192. To the Committee on Local Legislation No. 2.

FURTHER CONSIDERATION OF H. B. 37

The Senate proceeded to further consideration of the Bill, H. B. 37.

The Standing Committee on Finance and Taxation reported the following amendments to the Bill, H. B. 37, to-wit:

COMMITTEE AMENDMENT TO H. B. 37

Amend H. B. 37 by striking Section 3 (A), Item 22 on page 32 in its entirety and inserting in lieu thereof the following:

"22. Alabama Peace Officers Standard and Training Commis- sion	
(a) Professional and Occupational Licensing and Regulation Pro- gram	80,000
(b) Certified Law Enforcement Academy Program	246,200
Jacksonville State Univer- sity	61,550
University of Alabama	61,550
James H. Faulkner Jr. Col- lege	61,550
Troy State Univ. Montg. ..	61,550

SOURCE OF FUNDS:

(1) ASETF 326,200Total Alabama Peace Officers
Standards and Training Com. ..

326,200

326,200

Further amend the bill, House Bill 37, by striking Section 3. (A) subsection 12 on page 16 lines 20-26 in its entirety and inserting in lieu thereof the following:

"Alabama Historical Commission

(a) Historical Resource Manage-
ment Program

100,000

(b) Archaeological Research Pro-
gram

150,000

SOURCE OF FUNDS:

(1) ASETF 250,000Total Alabama Historical Commis-
sion

250,000

250,000"

COMMITTEE AMENDMENT TO H. B. 37

Amend House Bill 37, Subsection I (A) 1. (a) of Section 5, page 42, by striking the figure \$22,187,787 and substituting in lieu thereof the figure \$22,687,787.

All other total figures in this bill should reflect this change.

Amend House Bill 37 by adding the following to Section 5, Subsection I. A. as follows:.

"14. Vocational Teacher Training: 340,057

SOURCE OF FUNDS:

(a) ASETF 340,057340,057

Total Vocational Teacher Training

340,057

340,057"

All other total figures in this bill should reflect this change.

COMMITTEE AMENDMENT TO HOUSE BILL 37

To amend House Bill 37, section 4, subsection 2, page 39, lines 5 through 9 and subsection 10, page 41, lines 5 through 9 by deleting both subsections and inserting the following under section 3 page 3 line 7:

1. Council on the Arts and
Humanities

(a) Fine Arts Program

SOURCE OF FUNDS:

(1) ASETF 300,000

(2) Federal and Local

614,098

(b) Birmingham Symphony

SOURCE OF FUNDS:

(1) ASETF 95,000

(c) Alabama Shakespeare Festival

SOURCE OF FUNDS:

(1) ASETF 2,500

Total Council on the Arts and Humanities	397,500	614,098	1,011,598
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COMMITTEE AMENDMENT TO H. B. 37

Amend H. B. 37 as follows:

On page 71, Section 5, on line 14, by striking out the number 2,999,975 and inserting in lieu thereof the number 3,399,975; amend further on line 27 by striking the number 4,975,198 and insert in lieu thereof the number 5,375,198; further amend page 71 on line 31 by striking the number 4,975,198 and inserting in lieu thereof the number 5,375,198 and, further amend line 31 by striking the number 8,858,195 and inserting in lieu thereof the number 9,258,195.

Further amend H. B. 37 on page 72 line 27 by striking the number 5,368,554 and inserting in lieu thereof the number 5,768,554 and inserting in lieu thereof the number 5,768,554; also amend line 27 by striking the number 9,330,233 and inserting in lieu thereof the number 9,730,233.

COMMITTEE AMENDMENT TO H. B. 37

Amend House Bill No. 37 Page 17 Line 10, by striking out 39,550,000 after the word and inserting in lieu thereof the following:

"\$41,350,000."

Further amend H. B. 37 by striking on line 16 the figure 67,848,063 and inserting in lieu thereof the following:

"\$69,648,063."

COMMITTEE AMENDMENT TO H. B. 37

H. B. 37 is hereby amended as follows:

On page 46, line 5 by inserting the word "University" between the words "Cooperative" and "Upper";

On page 46, line 12 by inserting the word "University" between the words "Cooperative" and "Upper";

On page 69, line 10 by inserting the words "Cooperative University Upper Division" between the words "Gadsden" and "Program";

On page 69, line 21 by inserting the word "Gadsden" between the words "Total" and "Cooperative"; and

On page 69, line 22 by striking the words and punctuation marks "(formerly Gadsden Prog.)" and inserting in lieu thereof the word:

Program

COMMITTEE AMENDMENT TO HOUSE BILL 37

Amend H. B. 37, Page 38, Section 33, Line 23, by striking the figures "8,906,171", and inserting in lieu thereof the following:

"9,206,171"

Also, on Page 38, Section 33, Line 25, by striking the figures "7,221,171" and inserting in lieu thereof the following:

"7,521,171"

Also, on Page 38, Section 33, Line 27, by striking the figures "7,221,171" and "8,906,171" and inserting in lieu thereof the following, respectively:

"7,521,171" and "9,206,171"

COMMITTEE AMENDMENT TO H. B. 37

Amend H. B. 37 by deleting the amount \$269,191 in lines 14 and 19 of page 58 and inserting the amount \$469,191 in lieu thereof.

Further amend H. B. 37 by deleting the amount \$635,099 in line 19 and insert the amount 834,099 in lieu thereof.

Further amend H. B. 37 by deleting the amount \$10,401,973 in line 29 of page 59 and inserting the amount \$10,601,973 in lieu thereof.

COMMITTEE AMENDMENT TO HOUSE BILL 37

Amend House Bill 37 on page 76, line 7 by striking out the figure "6,470,483" and inserting in lieu thereof the figure "6,320,483".

Further amend House Bill 37 on page 76, line 8 by striking out the figure "1,123,449" and inserting in lieu thereof the figure "1,073,449".

Further amend House Bill 37 on page 76, line 24 by striking out the figure "8,459,329" and inserting in lieu thereof the figure "8,259,329".

Further amend House Bill 37 on page 76, line 24 by striking out the figure "12,848,887" and inserting in lieu thereof the figure "12,648,887".

Further amend House Bill 37 on page 79, by striking out line 11 in its entirety and inserting in lieu thereof the following:

"16. Basic Medical Sciences:

(a) Instruction	109,323
(b) Research	20,347
(c) Libraries	16,273
(d) Academic Support	25,213
(e) Student Services	3,045
(f) Institutional Support	10,162
(g) Operations and Maintenance of Physical Plant	30,037

SOURCE OF FUNDS:

(1) ASETF	200,000	
(2) Other Sources		14,400

Total Basic Medical Sciences	200,000	14,400	214,400
TOTAL UNIVERSITY OF SOUTH ALABAMA	22,297,388	40,120,378	62,417,766".

COMMITTEE AMENDMENT TO HOUSE BILL 37

Amend House Bill 37 on page 77, line 12 by striking out the words "End Stage Renal Disease" and inserting in lieu thereof the words "Human and Clinical Nutrition Program".

Further amend House Bill 37 on page 77, line 17 by striking out the words "End Stage Renal Disease" and inserting in lieu thereof the words "Human and Clinical Nutrition Program".

COMMITTEE AMENDMENT TO HOUSE BILL 37

Amend House Bill 37 as follows:

On page 13, Section 3., Subsection 6, on line 35, strike the total figure 70,000 and insert in lieu thereof 100,000.

And on page 15, line 6 strike the figure and insert in lieu thereof 100,000

And on line 8, after the word "Commission" strike wherever it appears the figures "70,000" and insert in lieu thereof under each the column "ASETF" and "Total" the figures 100,000.

COMMITTEE AMENDMENT TO H. B. 37

Amend House Bill No. 37 Page 86 Line 27, by striking out Section 7-A in its entirety.

COMMITTEE AMENDMENT TO HOUSE BILL 37

Amend House Bill 37, Page 35, Line 19, by inserting the following language:

"The State Board of Education in providing equity salary adjustments as required in Act 637, Regular Session 1977, for instructors, librarians, and counselors employed as of September 1, 1978 in all technical colleges shall place all such personnel who have been employed at a technical college for at least ten (10) years at Rank IV, Step 10, of the Salary Schedule For Instructors, Librarians, and Counselors at State Community, Junior, and Technical Colleges. Those employed for at least seven (7) years but less than ten (10) years shall be placed no lower than Rank III, Step 10 of the schedule; and those employed for at least four (4) years but less than seven (7) years shall be placed no lower than Rank II, Step 10, of the schedule. All credit on the salary schedule granted a teacher at the time of employment shall be used in determining placement on the salary schedule as required hereinabove."

COMMITTEE AMENDMENT TO H. B. 37

On page 86, immediately following Section 6 on line 26, insert the following new section 7 and renumber the remaining sections accordingly:

Section 7. Two million eight hundred fifty thousand dollars (\$2,850,000) is hereby appropriated from the Alabama Special Educational Trust Fund for repair and replacement of, and equipment for, public school

buildings which have been destroyed by fire or natural disaster or where there exists critical needs, such amount to be allocated as follows:

Boards of Education	School	Amount
1. Gadsden City	General Forest School	\$275,000
2. Hartsell City	Morgan County Training School	290,000
3. Lamar County	Vernon Vocational School	15,000
4. Winfield City	Winfield Vocational School	100,000
5. Midfield City	Midfield School	200,000
6. Lawrence County	Chalybeate School	240,000
7. Madison County	New Market School	125,000
8. Marshall County	Boaz Middle School	315,000
9. Mobile County	Prichard Middle School	300,000
10. Jefferson County	McAdory High School	300,000
11. Shelby County	Montevallo High School	125,000
12. Cullman County	Baileyton School	100,000
13. Tusculmbia City	Deshler Junior High School	100,000
14. Dale County	Pinckard School	100,000
15. Cherokee County	Cedar Bluff	250,000

COMMITTEE AMENDMENT TO H. B. 37

Page 33, line 13, strike 32, 451, 521 and insert in lieu thereof 34, 251, 521.

RECESS

At 11 o'clock A.M. on motion of Mr. Fine, the Senate took a recess until 11:10 A.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

REPORT FROM RULES

Mr. Clemon, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 7. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

On motion of Mr. Fine, said Resolution was then concurred in and adopted by the Senate.

Mr. Clemon, Chairman of the Standing Committee on Rules, reported

that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 22. URGING POSTMASTER GENERAL WILLIAM BOLGER'S RECOMMENDATION TO THE CITIZENS STAMP ADVISORY COMMITTEE THAT A COMMEMORATIVE STAMP BE ISSUED IN HONOR OF THE RACING PIGEON.

On motion of Mr. Fine, said Resolution was then concurred in and adopted by the Senate.

Mr. Clemon, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 9. OPPOSING A CONSERVATION ADVISORY BOARD PROPOSAL TO DEPRIVE LANDOWNERS OF THEIR INHERENT AND HISTORIC RIGHTS TO CONTROL TRAPPING ON THEIR OWN LAND.

On motion of Mr. Fine, said Resolution was then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 8. Relating to Walker County; to amend Sections 3, 4, 9 and 10 of Act No. 356, S. 502, 1971 Regular Session, approved August 19, 1971 (Acts 1971, p. 652), which provides for the construction, maintenance and repair of public roads and bridges in Walker County, so as to earmark ninety-five percent of all revenue received by the Walker County Commission from the coal severance tax provided for in Act No. 598, H. 643, 1977 Regular Session (Acts 1977, p. 799) for use in the maintenance and construction of roads in Walker County effective October 1, 1978; so as to divide funds in the county road and bridge fund equally among the commission districts of the county; and, so as to make certain powers vested in the county engineer subject to the approval of a majority of the members of the county commission.

Also:

S. 23. Relating to Tallapoosa County; providing further for the hunting and taking of raccoons and opossums in said County.

Also:

S. 48. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

Also:

S. 57. To amend the title and Section 3 of Act No. 581, S. 641, Regular Session 1977 (Acts 1977, p. 773) relating to Baldwin County and providing for a more convenient and economical system of serving notices to delinquent

taxpayers so as to relieve the tax collector of duties relating to service of notice to delinquent taxpayers and provide for the county commission to pay all advertising costs for notices required by said act and publication of notice of sale by the tax collector.

Also:

S. 59. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

Also:

S. 64. To regulate the expense allowances in the Twenty-Eighth Judicial Circuit for district judges; and to provide for retroactive effect.

Also:

S. 72. Relating to Baldwin County; providing further for an additional expense allowance for the tax assessor and the tax collector.

Also:

S. 71. Relating to Baldwin County; providing for the fixing of a fee for the issuance of a pistol permit by the sheriff; providing for the disposition and use of such fees; and giving this act retroactive effect.

Also:

S. 74. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Also:

S. 86. Relating to the 36th Judicial Circuit; providing for an increase in salary supplement for the circuit judge of said circuit.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Armstrong, Trammell, Waggoner, Biddle III, Howard and Morris:

H. J. R. 64. NAMING THE AUTO PARTS TRAINING CENTER AT BESSEMER STATE TECHNICAL COLLEGE, "LANIER AUTO PARTS TRAINING CENTER."

WHEREAS, the late Jesse Eugene Lanier, who served for nearly two decades as the mayor of Bessemer, Alabama, was serving in that capacity in 1962 at the time Bessemer State Technical College was established; and

WHEREAS, Mayor Lanier, who was largely instrumental in the estab-

lishment of said institution, also served as the first chairman of the Advisory Council of Bessemer State Technical College and, as such, provided outstanding leadership during the school's early and formative years of development; and

WHEREAS, since that time, Bessemer State Technical College has grown to become the largest Technical College in the State of Alabama serving over 2200 students in technical training; and

WHEREAS, the recently completed Auto Parts Training Center, to be dedicated August 30, 1978, will serve specialized training for business and industry and will further stand as a monument to the continued progress of Bessemer State which had its beginning under the leadership of Mayor Lanier; and

WHEREAS, to honor the late Jesse Eugene Lanier, the College's Advisory Council has approved the designation of this facility as, "Lanier Auto Parts Training Center"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new Auto Parts Training Center at Bessemer State Technical College is hereby named and designated as, "Lanier Auto Parts Training Center."

BE IT FURTHER RESOLVED, That proper authorities are directed to cause appropriate signs and markers to be erected and maintained in so designating said facility as, "Lanier Auto Parts Training Center."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 64, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCluskey, Drake, McCorquodale, Manley, Robertson, Turnham, Greer, Kelley, Cross, Dial, Crowe, Roberts, Lutz, Shoemaker, Smith (M), Plaster, Coburn, Pegues, Holley, Leonard, Clark, Weeks, Ford, Killian, Reed (T), Gafford, Williams, Wyatt and Waggoner:

H. 68. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 68. To the Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

H. 51. To amend Section 9-16-34, Code of Alabama 1975, the "Alabama Surface Mining Reclamation Act of 1975," so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer certain provisions of the Federal Initial Regulatory Program for a certain period of time, and to retain certain constitutional powers to the state.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, St. John, Shelby, Stewart, Teague, Vacca, Wilson.

—28

Nays:

—0

The Bill:

H. 127. To provide for the establishment of a reserve state trooper force and places said reserve state troopers under the direction of the director of the Department of Public Safety or a member of the Alabama State Troopers and provides said reserve state troopers with the authority to carry firearms when summoned by the Department of Public Safety.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs. Adams, Baker, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Perry, Powell, Proctor, St. John, Stewart, Teague, Vacca, Waldrop.

—26

Nays:

—0

The Bill:

H. 150. To vest regulatory authority over hazardous waste management in the State Board of Health: to authorize the Board to accept and administer lands to be used as disposal sites for hazardous wastes; to vest perpetual responsibility for such sites in the State; to establish the Hazardous Wastes Technical Advisory Committee; to place certain responsibilities for hazardous waste management upon the Board; to empower the Board to develop and revise criteria for identifying hazardous wastes and to list such wastes; to empower the Board to adopt and revise rules and regulations,

guidelines, criteria and standards; to require permits for hazardous waste management practices and establish procedures for such permitting; to require generators of hazardous wastes to dispose of such wastes in an approved manner; to place certain responsibilities upon generators of hazardous wastes, transporters of hazardous wastes and operators of hazardous waste storage and treatment facilities and disposal sites; to require the use of a manifest; to require the reporting of hazardous wastes generated by the generator; to provide for penalties and remedies; to provide for administration and enforcement; to allow appeal; and to establish the Hazardous Wastes Management Fund and to make appropriations therefrom.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, King, Little, McDonald (S), Mims, Noonan, Owen, Pearson, Peden, Perloff, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop.

—28

Nays:

—0

RESOLUTION

Mr. Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 32. NAMING HOUSE BILL 150 THE ELLIS HAZARDOUS WASTE MANAGEMENT ACT.

WHEREAS, the Honorable Robert L. "Bob" Ellis, State Senator, from the 14th District has worked diligently and faithfully toward the control of waste management; and

WHEREAS, he has served on interim committees in an effort to collect certain information and data towards the establishment of such controls; and

WHEREAS, he has put forth the extra effort and has gone beyond the call of the assignment in every case to see that the required legislation be enacted; and

WHEREAS, House Bill 150 should be enacted in this special session of the Legislature which will put into effect the guidelines and criteria which Senator Ellis has worked so earnestly and energetically for; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That House Bill 150 shall be known as the Ellis Hazardous Waste Management Act and that the Legislature of Alabama wishes to express deep appreciation and gratitude for his efforts in promoting this needed legislation in environmental control.

On motion of Mr. Wilson, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 6. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

Also:

S. J. R. 8. MOURNING THE TRAGIC DEATH OF MONTGOMERY POLICE OFFICER ROBERT C. USSERY.

Also:

S. J. R. 10. HONORING DR. MAMIE LABON FOSTER UPON HER RETIREMENT AFTER FORTY-SIX YEARS SERVICE WITH THE JEFFERSON COUNTY SCHOOL SYSTEM.

Also:

S. J. R. 14. COMMENDING DR. FRANK W. McCORKLE, PROMINENT GADSDEN PHYSICIAN.

Also:

S. J. R. 15. MOURNING THE DEATH OF MR. CLYDE A. DONEHOO.

Also:

S. J. R. 17. COMMENDING CHEROKEE COUNTY HIGH SCHOOL, 1978 STATE 3A TRACK CHAMPIONS.

Also:

S. J. R. 19. MOURNING THE DEATH OF MR. WALTER HAMMOND, PROMINENT BALDWIN COUNTY BUSINESSMAN AND CIVIC LEADER.

Also:

S. J. R. 21. MOURNING THE DEATH OF JESSE EUGENE LANIER, FORMER LONGTIME MAYOR OF BESSEMER, ALABAMA.

Also:

S. J. R. 29. URGING THE ALABAMA COMMISSIONER OF AGRICULTURE AND INDUSTRIES AND THE AUBURN COOPERATIVE EXTENSION SERVICE TO WORK WITH THE FEDERAL DRUG ADMINISTRATION TO STAMP OUT AFLATOXIN WHICH IS AFFECTING THE CORN CROP IN ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham and Carothers:

H. J. R. 67. CREATING A JOINT LEGISLATIVE COMMITTEE ON ENERGY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint legislative committee which shall be known as the "joint legislative committee on energy." The committee shall function from the date of its appointment until such time as the house of representatives and the senate each adopt a concurrent resolution terminating the committee.

The joint committee shall be composed of nine members, four members from the senate appointed by the lieutenant governor and five members from the house of representatives appointed by the speaker of the house. The chairman shall be designated by the speaker in odd numbered years and by the lieutenant governor in even numbered years. The vice chairman shall be designated by the lieutenant governor in odd numbered years and by the speaker in even numbered years.

The joint committee shall employ such staff as it deems necessary to conduct its business pursuant to this resolution. The staff may be composed of a staff director and such technical, legal, clerical, and stenographic assistants as the chairman and five chairman determine.

The joint committee shall have the following responsibilities and duties:

- (a) examine the statutes, constitutional provisions, regulations and court decisions governing energy and recommend legislation or changes if any are found to be necessary to the legislature;
- (b) continuously evaluate the energy policies and programs of the state;
- (c) have the power to introduce bills and act as a committee of reference for bills affecting or relating to the energy activities of the state; and
- (d) act in any capacity authorized by the speaker of the house and lieutenant governor.

The members of the committee shall be entitled to their regular pay and per diem expenses, including mileage, for each day in which they are engaged in committee work. Such pay and expenses shall be paid out of any available funds appropriated for use of the legislature. Provided, that the total expenditures of the committee shall not exceed \$5,000 per year.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 67, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mrs. Quarles:

H. 125. To name the new Moody High School in St. Clair County, the "Roy and Vera B. Gibson High School."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 125. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 1. To appropriate two hundred fifty million dollars (\$250,000,000) from the Alabama Special Educational Trust Fund, over a designated period, for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide how said monies shall be spend by the state board of education and the Alabama Commission on Higher Education.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Baker moved that the Senate non-concur in the following House amendment to the Bill, S. B. 1, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 1

A BILL TO BE ENTITLED AN ACT

To authorize Alabama Public School and College Authority to sell and issue two hundred and twenty million three hundred and twenty-five thousand (\$220,325,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated

and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. Wherever used in this Act, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise:

"1957 Act" means Act No. 499 enacted at the 1957 Regular Session of the Legislature.

"1959 Act" means Act No. 126 enacted at the 1959 Second Special Session of the Legislature, codified as Title 16, Chapter 15, Code of Alabama 1975.

"1965 Act" means Act No. 243 enacted at the 1965 First Special Session of the Legislature, codified as Title 16, Chapter 16, Code of Alabama 1975.

"1967 Act" means Act No. 403 enacted at the 1967 Regular Session of the Legislature.

"1969 Act" means Act No. 1031 enacted at the 1969 Regular Session of the Legislature.

"1971 Acts" means Act No. 94 enacted at the 1971 First Special Session of the Legislature, Act No. 2428 enacted at the 1971 Regular Session of the Legislature, and Act No. 56 enacted at the 1971 Second Special Session of the Legislature.

"1973 Act" means Act No. 1277 enacted at the 1973 Regular Session of the Legislature, as amended by Act No. 73 enacted at the 1975 Third Special Session of the Legislature and Act No. 1223 enacted at the 1975 Regular Session of the Legislature.

"Authority" means Alabama Public School and College Authority, a public corporation and instrumentality of the State that was organized and exists under the provisions of the 1965 Act.

"Board of Directors" means the board of directors of the Authority.

"Bonds" (except where that word is used with reference to bonds issued under another act), means those bonds, other than refunding bonds, issued under the provisions of this Act.

"Capital Improvements" means buildings containing classrooms, offices,

libraries, laboratories, clinical or teaching facilities, and facilities for athletics, recreation and physical education, research facilities, related campus improvements and land as sites therefor, together with equipment therefor, and school buses. The term "Capital Improvement" does not include textbooks, office supplies, or school supplies used by the educational institutions listed in Section 2 of this Act, or any of their personnel or students.

"Legislature" means the Legislature of Alabama.

"Refunding Bonds" means those refunding bonds issued under the provisions of this Act.

"State" means the State of Alabama.

Nouns and pronouns when used in this Act shall be deemed to include both singular and plural and all applicable genders.

Section 2. Authorization to Issue Additional Bonds and Purposes Thereof. Alabama Public School and College Authority is hereby authorized to sell and issue its Bonds in the aggregate principal amount of two hundred and twenty million three hundred and twenty-five thousand dollars (\$220,325,000) for the construction, reconstruction, purchase, alteration, improvement, and equipment of any types of Capital Improvements for public educational purposes in the State, for senior colleges and universities, junior colleges, vocational-technical institutes, and elementary-secondary school systems and special schools, and including the cost of architectural services therefor and services rendered by building inspectors for periodic and final inspections thereof. The Bonds authorized in this Act to be issued by the Authority shall be in addition to all other bonds previously authorized to be issued by it.

Section 3. Execution and Other Details of the Bonds. The Bonds shall be executed, sealed and attested, shall with the interest thereon be exempt from all taxation in the State, may be used as security for deposits, shall be construed to be negotiable instruments, and shall be eligible for investments of fiduciary funds, all as is provided in the 1965 Act. All Bonds bearing signatures or facsimiles of the signatures of officers of the Authority in office on the date of signing thereof shall be valid and binding notwithstanding that before the delivery thereof and payment therefor, any officer whose signature appears thereon shall have ceased to be an officer of the Authority. The Bonds shall be in such form or forms and denomination or denominations and of such tenor and maturities, shall bear such rate or rates of interest payable and evidenced in such manner, may be made subject to redemption prior to their maturities, and may contain provisions not inconsistent with this Act, all as may be provided by the resolution of the Board of Directors under which the Bonds may be issued; provided, that no Bonds shall have a specified maturity date later than twenty years after their date; and provided further, that those Bonds having maturities more than ten years after their date shall be subject to redemption at the option of the authority on any interest payment date on and after the tenth anniversary after their date at such redemption price and under such conditions as may be prescribed in the proceedings of the Authority under which they are issued.

Section 4. Sale of the Bonds. The Bonds may be sold by the Authority from time to time in series, and if sold in more than one series, may all be authorized in one initial resolution of the Board of Directors with the pledges therefor made by the Authority in such initial resolution although some of the details applicable to each series may be specified in the respective resolu-

tions under which the different series are issued. Each series of the Bonds shall be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest total net interest cost to the Authority for the series of the Bonds being sold, computed from the date of those at the time being sold to their respective maturities and taking into account any premium named in the bid therefor; provided, that if no bid acceptable to the Authority is received it may reject all bids. Before any series of the Bonds shall be offered for sale by the Authority, the Governor of Alabama shall first determine that the issuance of that series of Bonds and the application of the taxes pledged to the payment of the principal of the Bonds as they mature and interest thereon as it comes due will not impair the adequacy of the Alabama Special Educational Trust Fund to pay appropriations therefrom and to support the public schools and institutions of higher learning during the period over which the Bonds will mature. The Governor's determination shall be in writing signed by the Governor and that determination shall be final and conclusive. Notice of each sale shall be given by publication in the City of New York, New York, and also be publication in a newspaper published in the State which is customarily published not less often than five days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The Board of Directors may fix the terms and conditions under which each sale may be held; provided, that none of the Bonds may be sold for a price less than the face value thereof; and provided further, that the terms and conditions shall not conflict with any of the requirements of this Act. Approval by the Governor of Alabama of the terms and conditions under which any Bonds may be issued shall be requisite to their validity. Neither a public hearing nor consent of the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of any of the Bonds.

Section 5. Appropriation of Revenues to the Authority: Pledge Thereof for the Benefit of the Bonds. For the purpose of providing for payment of the principal of and interest on the Bonds and to accomplish the objects of this Act, there is hereby irrevocably pledged to those purposes, and hereby appropriated, the amount that may be necessary for those purposes from the following sources:

(a) The residue of the receipts from the excise tax ("the utilities gross receipts tax") levied by Title 40, Chapter 21, Article 3, Code of Alabama 1975, as amended ("Article 3"), remaining after payment of the expenses of administration and enforcement of Article 3, being that portion of the tax that is required by Article 3 to be deposited in the State treasury to the credit of the Alabama Special Educational Trust Fund, after there shall have been taken from the residue the amount necessary to pay at their respective maturities the principal of and interest on those bonds issued by the Authority under the 1971 Acts or the 1973 Act that may be outstanding at the time of the delivery of the respective series of the Bonds authorized herein;

(b) The residue of the receipts from the excise tax ("the utilities use tax") levied by Title 40, Chapter 21, Article 4, Code of Alabama 1975 ("Article 4"), remaining after payment of the expenses of administration and enforcement of Article 4, being that portion of the tax that is required by Article 4 to be deposited in the State Treasury to the credit of the Alabama Special Educational Trust Fund, after there shall have been taken from the residue the amount necessary to pay at their respective maturities the principal of and interest on those bonds issued by the Authority under the 1971 Acts or the 1973 Act that may be outstanding at the time of the delivery of the respective series of the Bonds authorized herein;

(c) The residue of the receipts from the license tax ("the lease tax") levied on those engaging in the business of leasing or renting tangible personal property levied by Title 40, Chapter 12, Article 4, Code of Alabama 1975 ("Chapter 12, Article 4"), remaining after payment of the expenses of administration and enforcement of Chapter 12, Article 4, being that portion of the tax that is required by Chapter 12, Article 4 to be deposited in the State treasury to the credit of the Alabama Special Educational Trust Fund, after there shall have been taken from the residue the amount necessary to pay at their respective maturities the principal of and interest on those bonds issued by the Authority under the 1971 Acts or the 1973 Act that may be outstanding at the time of the delivery of the respective series of the Bonds authorized herein;

(d) To the extent and to the extent only that the revenues appropriated in the foregoing subsections (a), (b), and (c) of this Section may not be sufficient to pay at their respective maturities the principal of and interest on the Bonds, the residue of the receipts from the excise tax ("the sales tax") levied by Title 40, Chapter 23, Article 1, Division 1, Code of Alabama 1975, as amended ("Article 1"), after there shall have been taken from the residue the amounts appropriated for other educational purposes in Section 40-23-35, Code of Alabama 1975 (which residue constitutes that portion of the receipts from the sales tax that is now required by law to be paid into the Alabama Special Educational Trust Fund), and after there shall have been taken from the residue amounts sufficient to meet all prior charges on the residue including such amounts as may be necessary to pay at their respective maturities the principal of and interest on those of the following bonds that may be outstanding at the time of the delivery of the respective series of the Bonds authorized herein: (1) those bonds issued by the State under the 1957 Act; (2) those bonds issued by Alabama Education Authority under the 1959 Act; (3) those bonds issued by the Authority under any of the 1965 Act, the 1967 Act, the 1969 Act, the 1971 Acts, or the 1973 Act; and

(e) to the extent and to the extent only that the revenues appropriated in the foregoing subsections (a), (b), (c), and (d) of this Section may not be sufficient to pay at their respective maturities the principal of and interest on the Bonds, the residue of the receipts from the excise tax ("the use tax") levied by Title 40, Chapter 23, Article 2, Code of Alabama 1975, as amended ("Article 2"), after there shall have been taken from the residue the amount necessary to meet the expenses of the State Department of Revenue in collecting the use tax (which residue constitutes that portion of the receipts from the use tax that is now required by law to be paid into the Alabama Special Educational Trust Fund), and after there shall have been taken from the residue such amounts as may be necessary to meet all prior charges on the use tax including the amounts sufficient to pay at their respective maturities the principal of and interest on those outstanding bonds referred to in clauses (1), (2), and (3) of subsection (d) of this Section.

All monies hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and interest on the Bonds. The State Treasurer is authorized and directed to pay at their respective maturities the principal of and interest on the Bonds out of this fund and out of the residues of the tax receipts herein appropriated and pledged for the benefit of the Bonds, and he is authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 6. Bonds to be Payable Solely Out of Revenues Appropriated; Authorization for Authority to Pledge Such Revenues for the Bonds. The Bonds shall not be general obligations of the Authority and shall be limited obligations payable solely out of the residues of the tax receipts appropriated and pledged in Section 5 of this Act. All Bonds issued by the Authority pursuant to the provisions of this Act shall be solely and exclusively obligations of the Authority and shall not constitute or create an obligation or debt of the State. As security for the payment of the principal of and interest on the Bonds, the Authority is hereby authorized and empowered to pledge for payment of the principal of and interest on the Bonds the residues of the tax receipts that are appropriated and pledged in Section 5 hereof for payment of the principal and interest. All such pledges made by the Authority shall take precedence in the order of the adoption of the resolutions containing the pledges. All such pledges shall be prior and superior to any pledges. All such pledges shall be prior and superior to any pledges that may be made for any Refunding Bonds hereafter issued by Alabama Education Authority under the provisions of the 1959 Act or by the Authority under the provisions of any of the 1965 Act, the 1967 Act, the 1969 Act, the 1971 Acts, the 1973 Act, or any other act heretofore enacted.

Section 7. Refunding Bonds. For the purpose of refunding any Bonds, including Refunding Bonds, of the Authority issued under the provisions of this Act, the 1965 Act, the 1967 Act, the 1969 Act, the 1971 Acts, the 1973 Act or any other act previously enacted, or that were issued by Alabama Education Authority under the provisions of the 1959 Act (or any combination thereof), whether the refunding shall occur before, at or after the maturity of the Bonds refunded, and for the purpose of paying all premiums and expenses of the refunding (including attorneys' fees, costs of printing the Refunding Bonds, fiscal agents' fees, and accountants' fees), the Authority may from time to time sell and issue, at either public or private sale, Refunding Bonds in an aggregate principal amount not exceeding the sum of (a) the outstanding principal amount of the Bonds to be refunded, (b) the interest (accrued or to accrue) to the respective maturities of the Bonds to be refunded, or if the Bonds to be refunded are to be called for redemption, either on the earliest date on which under their terms they may be redeemed or some later date or dates, the interest (accrued or to accrue) on the Bonds to be refunded to the date or dates on which they are to be called for redemption, (c) the amount of any redemption premium required, by the terms of the Bonds, to be paid as a condition to their redemption prior to their respective maturities, and (d) the amount of any expenses (actual or estimated) of such refunding. For the purpose of providing funds to enable the Authority to pay at their respective maturities the principal of and interest on the Refunding Bonds issued under this Act and to accomplish the purposes of this Act, the Board of Directors of the Authority is hereby authorized to pledge irrevocably to those purposes, and there is hereby appropriated for those purposes, such amount as may be necessary for those purposes of the residues of the receipts from the excise taxes pledged and appropriated in subsections (a), (b), (c), (d), and (e) of Section 5 of this Act for the payment of the Bonds being refunded, any reserve or sinking funds established by the Authority, as well as revenues of the Authority from any other sources specified in the proceedings wherein the Refunding Bonds are authorized to be issued, and when so pledged in the proceedings of the Authority under which the Refunding Bonds are authorized that pledge shall constitute an irrevocable pledge of the excise tax revenues referred to, the reserve or sinking funds established by the Authority and any other revenues that may be pledged by the Authority in its

proceedings. The excise tax revenues so pledged and appropriated in this Section may be held by the State Treasurer, as treasurer of the Authority, in trust, or may be deposited by the State Treasurer in trust, or may be held in a sinking fund, on such terms as the State Treasurer shall approve, for investment in the manner provided in this Section for investment of the proceeds of Refunding Bonds. Pending the application of the proceeds of Refunding Bonds issued in accordance with this Section, the proceeds, together with investment earnings therefrom, and amounts in any sinking fund, together with investment earnings thereon, may be held by the State Treasurer as treasurer of the Authority in trust, or may be deposited by the State Treasurer in trust, on such terms as the State Treasurer shall approve, with a trustee or escrow agent, which trustee or escrow agent shall be a banking institution or trust company authorized to exercise trust powers in Alabama, for investment in direct general obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by the United States of America. The proceeds in any sinking fund shall be available, as provided by the Authority, for the payment of all or any part of the principal, interest, and redemption premium, if any, of the Bonds being refunded and of the Refunding Bonds, or any of them, as the Authority in its discretion shall prescribe. Proceeds of Refunding Bonds shall be so invested and applied as to assure that the principal, interest, and redemption premium, if any, on the Bonds being refunded shall be paid in full on their respective maturity, redemption, or interest payment dates. Refunding Bonds issued by the Authority shall not be general obligations of the Authority but shall be payable solely from the sources specified in this Act and in the proceedings wherein the Refunding Bonds are authorized to be issued. All Refunding Bonds issued by the Authority shall be solely and exclusively an obligation of the Authority and shall not create a debt of the State of Alabama. The faith and credit of the State of Alabama shall never be pledged for the payment of any Refunding Bonds issued by the Authority under this Act. The Authority may contract with respect to the safekeeping and application of the Refunding Bond proceeds and other funds included therewith and the income therefrom including the right to appoint a trustee which may be any trust company or state or national bank having powers of a trust company within or without the State. All other provisions of this Act shall apply to the Refunding Bonds issued hereunder except (a) the limitation contained in Section 2 of this Act on the amount of Bonds that may be issued under this Act, and (b) the provisions of Section 8 of this Act. All pledges made in this Act, and all pledges made by the Authority pursuant to the provisions of this Act, for the benefit of Refunding Bonds issued under this Act shall take precedence in the order of the adoption of the resolutions authorizing the issuance of the Refunding Bonds.

Section 8. Use of Bond Proceeds. The proceeds derived from each sale of the Bonds shall be deposited in the State Treasury and shall be carried in a separate fund therein for the account of the Authority, which shall pay therefrom the expenses of issuance thereof. The expenses of issuance of the Bonds shall be prorated among the recipients listed in this Act of the proceeds from the sale of the Bonds in the proportions they receive allocations of the proceeds hereunder. The proceeds from the sale of the Bonds remaining after payment of the expenses of issuance thereof shall be retained in the fund and paid out from time to time on orders or warrants issued by or on the direction of the Authority for any one or more of the purposes specified in Section 2 of this Act that may be deemed by the Authority to be most advantageous to the State, and the proceeds shall be used solely for those purposes and shall be allocated and expended by the Authority in the amount set out as follows:

(a) Fifty-nine million dollars (\$59,000,000.00) to senior colleges and universities to be distributed as follows:

(1) \$8,468,537.00 of the proceeds shall be distributed to the Board of Trustees of the University of Alabama to be used at its Tuscaloosa campus;

(2) \$8,176,368.00 of the proceeds shall be distributed to the Board of Trustees of the University of Alabama to be used at its Birmingham campus;

(3) \$3,529,812.00 of the proceeds shall be distributed to the Board of Trustees of the University of Alabama to be used at its Huntsville campus;

(4) \$8,695,286.00 of the proceeds shall be distributed to Auburn University;

(5) \$2,690,714.00 of the proceeds shall be distributed to Auburn University at Montgomery;

(6) \$4,055,634.00 of the proceeds shall be distributed to the University of South Alabama;

(7) \$2,952,994.00 of the proceeds shall be distributed to the University of Montevallo;

(8) \$3,612,972.00 of the proceeds shall be distributed to the University of North Alabama;

(9) \$3,713,318.00 of the proceeds shall be distributed to Jacksonville State University;

(10) \$2,418,932.00 of the proceeds shall be distributed to Livingston University;

(11) \$3,770,422.00 of the proceeds shall be distributed to Troy State University;

(12) \$2,968,039.00 of the proceeds shall be distributed to Alabama Agricultural and Mechanical University;

(13) \$2,946,972.00 of the proceeds shall be distributed to Alabama State University;

(14) \$1,000,000.00 of the proceeds shall be distributed to Athens State College;

(b) Twenty-seven million five hundred thirty-five thousand dollars (\$27,535,000.00) to junior colleges and vocational-technical institutes to be distributed as follows:

1. Alexander City State Junior College	\$ 618,980
2. S. D. Bishop State Junior College	723,126
3. Brewer State Junior College	661,511
4. John C. Calhoun State Tech. Jr. Col.	948,814
5. Jefferson Davis State Jr. Col.	487,571
6. Enterprise State Junior Col.	696,135
7. Faulkner State Jr. Col.	735,940

8. Gadsden State Jr. Col.	1,187,692
9. Patrick Henry State Jr. Col.	492,479
10. Jefferson State Jr. Col.	1,669,980
11. T. A. Lawson State Jr. Col.	1,581,305
12. Northeast Alabama State Jr. Col.	745,209
13. Northwest Alabama State Jr. Col.	515,653
14. Snead State Junior College	613,255

(Any proceeds allocated to this junior college may be used to redeem or repay presently outstanding debts or bonds issued or incurred for the purpose of providing educational or dormitory facilities for the junior college.)

15. Southern Union State Jr. Col.	649,515
16. George C. Wallace State Tech. Jr. Col., Dothan	540,410
17. George C. Wallace State Jr. Col., Selma	438,718
18. Lurleen B. Wallace State Jr. Col.	509,382
19. Alabama Institute of Aviation Tech.	414,507
20. Alabama Technical College—Gadsden	509,927
21. Ayers State Technical College	435,771
22. Bessemer State Technical College	635,066
23. Calhoun State Tech. Trade School	322,031
24. Carver State Tech. Trade School	394,331
25. Drake State Technical College	479,665
26. Gadsden State Technical Inst.	357,253
27. Hobson State Technical Inst.	404,964
28. MacArthur State Tech. Col.	456,219
29. Muscle Shoals Tech. Inst.	453,220
30. Northwest Alabama State Tech. Col.	437,952
31. Nunnelley State Tech. Inst.	424,321
32. Opelika State Technical Col.	454,310
33. Patterson State Tech. Col.	486,753
34. Reid State Technical Col.	395,421
35. Shelton State Technical Col.	472,304
36. Sparks State Technical Inst.	367,068
37. Southwest State Tech. Col.	487,571
38. Trenholm State Trade School	402,237

39. Walker County State Trade School	422,412
40. Wallace State Tech. Trade School, Dothan	383,919
41. Wallace State Tech. Inst., Hanceville	307,309
42. Wallace State Tech. Inst., Selma	260,689
43. Atmore Technical College	376,337
44. Ingram State Technical Institute	395,149
45. Regional Technical Institute	285,000
46. George C. Wallace State Jr. College, Hanceville	350,385
47. Talladega Voc. School for Deaf	500,000
48. Chattahoochee Valley State Jr. Col.	818,820
49. Fredd State Technical College	391,332
50. Lawson State Technical Institute	437,082

(c) One hundred fourteen million seven hundred fifty thousand dollars (\$114,750,000.00) for elementary-secondary school systems to be distributed as follows:

(1) One hundred thousand dollars (\$100,000.00) shall be paid to each city and county board of education. Provided, however, all of the money appropriated in this subsection for the Etowah County School System shall be allocated and appropriated for constructing and equipping a new middle school in Rainbow City. Provided, however, all of the money appropriated in this subsection for the Madison County School System shall be allocated and appropriated for renovation and improvement of the New Market School.

(2) Ninety-two million three hundred thousand dollars (\$92,300,000.00) shall be allocated and distributed to city and county boards of education, pro rata, on the basis of teacher units as determined in accordance with the minimum school program for the school year 1976-77.

(3) The residue from the \$114,750,000, after providing for costs of issuance of the Bonds and paragraphs (1) and (2) of this subsection shall be allocated and distributed to city and county boards of education in accordance with their special needs, as determined by the Authority, and shall be used for the purposes described in Section 2 of this Act. Provided, however, of the moneys allocated for the Gadsden Schools systems, \$250,000 shall be allocated to the construction of a new football stadium in East Gadsden. All of the money allocated to the Etowah County School system from this subsection shall be used for constructing and equipping a new middle school in Rainbow City.

(d) Two million eight hundred and twenty-five thousand (2,825,000) for repair and replacement of, and equipment for, public school buildings which have been destroyed by fire or natural disaster or where there exist critical needs, such amount to be amount to be allocated as follows:

Boards of Education	School	Amount
1. Gadsden City	General Forest School	\$275,000
2. Hartselle City	Morgan County Training School	290,000

3.	Lamar County	Vernon Vocational School	15,000
4.	Winfield City	Winfield Vocational School	100,000
5.	Midfield City	Midfield School	200,000
6.	Lawrence County	Chalybeate School	240,000
7.	Madison County	New Market School	125,000
8.	Marshall County	Boaz Middle School	315,000
9.	Mobile County	Prichard Middle School	315,000
10.	Randolph County	Folsom Junior High School	300,000
11.	Shelby County	Montevallo High School	125,000
12.	Shelby County	Vincent High School	125,000
13.	Cullman County	Baileyton School	100,000
14.	Tuscumbia City	Deshler Junior High School	100,000
15.	Macon County	Tuskegee Public School	100,000
16.	Bullock County	Merit Junior High School	100,000

(e) Sixteen million two hundred fifteen thousand (\$16,215,000) to be allocated for special and critical needs as follows:

1.	Alabama A & M University	\$1,700,000
2.	Alabama State University	600,000
3.	Auburn Univeristy at Montgomery	130,000
4.	Troy State University	750,000
5.	Department of Youth Services (\$125,000 must be used to alter and improve the Harris Home in Huntsville)	625,000
6.	Marine Science Consortium	150,000
7.	University of Alabama in Birmingham Lab for training Public Health Personnel	870,000
	Spain Rehabilitation Center	750,000
	Spain Lakeshore Center	750,000
	End State Renal Disease	750,000
	Art Center	1,000,000
	Diabetes Clinic	600,000
8.	Alabama Aviation State Technical School	450,000
9.	Shelton State Technical School	400,000
10.	Brewer State Junior College	400,000
11.	Chattahoochee Valley State Junior College	1,650,000
12.	Gadsden State Junior College	1,000,000

13. P. Henry State Junior College	200,000
14. Lawson State Junior College	400,000
15. Southern Union State Junior College	200,000
16. Wallace State Junior College, Dothan	950,000
17. Wallace State Junior College, Hanceville	1,840,000
18. Alabama Cooperative Extension Service Swine Demonstration Center at Headland	50,000

(f) Each building constructed wholly or in part with any portion of the proceeds of the Bonds shall be constructed pursuant to plans and specifications approved by the Technical Staff of the Building Commission, or any agency that may be designated by the Legislature as its successor, and the costs of architectural and supervisory services shall be construed to constitute construction costs. The Authority may, from the proceeds of the Bonds allocated for the construction of a building, reimburse the Technical Staff for any expenses reasonably incurred by it in connection with its approval of the plans and specifications pertaining to that building.

Section 9. Severability. In the event any section, sentence, clause or provision of this Act shall be declared invalid by a court of competent jurisdiction, that action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this act, which shall continue effective.

Section 10. Effective Date. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

AMENDMENT TO SUBSTITUTE FOR SENATE BILL NO. 1

Amend the Substitute for Senate Bill 1, in Section 8, Subsection (b), on page 16, line 2, item "47" by striking therefrom the words, viz; Talladega Voc. School for Deaf and inserting in lieu thereof the following words:

Alabama Institute for the Deaf and Blind

AMENDMENT TO THE COMMITTEE SUBSTITUTE FOR S. B. 1, AS AMENDED

Amend S. B. 1, p. 18, Section 8, Subsection D, Line 5, by inserting after the number "100,000" and before the letter "(e)" the following:

to be distributed to the Board of Education of the City of Gadsden to be used (i) to pay the principal of any obligations incurred by the said board in the replacement or restoration and equipment of the General Forrest Jr. High which has been destroyed by fire, and (ii) to the extent not necessary for that purpose, to be expended for capital improvements for public educational purposes as a part of the City of Gadsden Public School System.

AMENDMENT TO THE COMMITTEE SUBSTITUTE FOR S. B. 1, AS AMENDED

Amend Substitute to S. B. 1, page 17, Section 8, Subsection C (3), line 14, by striking after the word "Act" and before the word "All" the following:

Provided, however, of the moneys allocated for the Gadsden School System \$250,000 shall be allocated to the construction of a new football stadium in East Gadsden.

and request a Committee on Conference.

Mr. Waldrop offered a substitute motion that the Senate concur in said House amendment to the Bill, S. B. 1.

Mr. Peden moved that further consideration of the House amendment to S. B. 1 be postponed temporarily.

Mr. Waldrop moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 15; Nays 19.

Yeas:

Messrs. Bank, Edwards, Goodwin, Higginbotham, Jones, Little, McDonald (A), Mitchell, Perry, Proctor, Shelby, Teague, Vacca, Waldrop, Wilson.

—15

Nays:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Foshee, Gilmore, King, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Peden, Perloff, Powell, Roberts, Stewart.

—19

The question was then on the motion of Mr. Peden, which was adopted, and further consideration of the House amendment to the Bill, S. B. 1, was postponed temporarily.

FURTHER CONSIDERATION OF H. B. 37

The Senate proceeded to further consideration of the Bill, H. B. 37, to-wit:

The question was on the amendments offered by the Standing Committee on Finance and Taxation.

On motion of Mr. Owen, said amendments were laid on the table.

Mr. Owen offered the following substitute for the Bill, H. B. 37, to-wit:

A BILL TO BE ENTITLED AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1979 and for the

public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 8, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Outlay" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment—Other than Automotive" shall mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment" shall mean those items of motor vehicle equipment only and the money appropriated therefore shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1979 and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 4, Chapter 4, Title 41 of the Code of Alabama 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Federal and Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Interest on Surplus plus Revenue 26,764

Interest on James Wallace Fund 275

Total 659,744

SOURCE OF FUNDS:

(1) ASETF 871,044

Total Debt Service 871,044 871,044

3. Board of Dental Scholarship Awards

(a) Support of Other Educational Activities Program	228,000
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SOURCE OF FUNDS:

(1) ASETF	<u>228,000</u>
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Total Board of Dental Scholarship Awards	228,000	228,000
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(To be expended under the provisions of Act No. 662, 1977 Regular Session.)

4. Department of Education

(a) Financial Assistance Program	226,621,995
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The proposed spending plan for the above is as follows:

Vocational Education and Other Financial Assistance Programs	48,051,317
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(\$300,000 is to be used for Agribusiness Center)

SOURCE OF FUNDS:

(1) ASETF	48,051,317
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(2) Federal and Local Funds	<u>178,570,678</u>
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Total Financial Assistance Program	48,051,317	178,570,678	226,621,995
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The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations.

Section 3.

A. STATE AGENCIES

1. Council on the Arts and Humanities

(a) Fine Arts Program	914,098
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(b) Birmingham Symphony	95,000
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(c) Alabama Shakespeare Festival	2,500
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Source of Funds:

(1) ASETF	397,500
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(2) Federal and Local Funds	<u>614,098</u>
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Total Council on the Arts and Humanities	397,500	614,098	1,011,598
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2. Debt Service

871,044

(a) For the payment of principal and interest due on bonds issued by the University of Alabama Research—Institute pursuant to Constitutional Amendment No. CLVII 211,300

(b) Interest on Endowments:

For interest on University of Montevallo (Alabama College) Endowment, Estimated .. 45,000

For interest on Auburn University Endowment 20,280

For interest on University of Alabama Endowment 61,000

For interest on Grove Hill Endowment 600

For interest on Public School Fund Endowment:

Interest on 16th Section lands, Estimated 410,000

Interest on School Indemnity lands, Estimated 90,000

Interest on Valueless 16th Section lands 5,825

approved by the State Board of Education upon recommendation of the State Superintendent.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula. Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institution for contractual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1979, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional prorata salary increase.

(b) Instructional Technical Assistance Program

7,231,665

The proposed spending plan for the above is as follows:

Civil Defense	24,200
Drug Education	181,500
Operation & Maintenance of Department	331,681
Right-to-Read	85,000
Career Education	110,000
Kindergarten Adm. ...	85,000
Minimum Program—Trainable Retarded Children ..	524,307
National Defense	399,300
Vocational Education ..	1,466,673
Alabama Learning Resource Center	60,000

SOURCE OF FUNDS:

(1) ASETF	3,267,661		
(2) Federal and Local Funds		<u>3,964,004</u>	
Total Instructional Technical Assistance Program	3,267,661	3,964,004	7,231,665

(The appropriation for Minimum Program—Trainable Retarded Children is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)

(c) Local Agency Support Program 11,182,190

The proposed spending plan for the above is as follows:

Coordination of In-School Television	127,201
Driver Education, School Bus Driver Training and Vehicle Safety Inspection	371,289
Operation & Maintenance of Department	337,490
Testing	425,000
Developing, Printing and Publishing Legal & Policy Manuals	5,000
Free Textbooks	8,602,500
Plans & Surveys	90,150
Facilities Survey	300,000

SOURCE OF FUNDS:

(1) ASETF	10,258,630		
(2) Federal and Local Funds		<u>923,560</u>	
Total Local Agency Support Program	10,258,630	923,560	11,182,190
(d) Regulation Program			879,432

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department	349,199
Teacher Certification & Accreditation	237,000

SOURCE OF FUNDS:

(1) ASETF	586,199		
(2) Federal and Local Funds		<u>293,233</u>	
Total Regulation Program	586,199	293,233	879,432
(e) Administrative Services Program			8,478,141

The proposed spending plan for the above is as follows:

Compact for Education	20,750
Operation & Maintenance of Department	1,600,043
Telephone Revolving Fund	1,200,000

SOURCE OF FUNDS:

(1) ASETF	2,820,793		
(2) Federal and Local Funds		<u>5,657,348</u>	
Total Administrative Services Program	2,829,793	5,657,348	8,478,141
(f) Adult Basic Education Program			5,660,599

The proposed spending plan for the above is as follows:

Adult Basic Education .	1,700,000
Community Education ...	100,000
Operation & Maintenance of Department	15,052

SOURCE OF FUNDS:

(1) ASETF	1,815,052		
(2) Federal and Local Funds		<u>3,845,547</u>	
Total Adult Basic Education Program	1,815,052	3,845,547	5,660,599

(g) Continuing Education Program			777,323
The proposed spending plan for the above is as follows:			
Operations & Maintenance of Department	20,862		
Administration of Private School Act	49,500		
SOURCE OF FUNDS:			
(1) ASETF	70,362		
(2) Federal and Local Funds		706,961	
Total Continuing Education Program	70,362	706,961	777,323
(h) Administration of Post-Secondary Vocational-Technical Education Program			9,243
The proposed spending plan for the above is as follows:			
Operations & Maintenance of Dept.	9,243		
SOURCE OF FUNDS:			
(1) ASETF	9,243		
Total Admin. of Post-Secondary Vocational-Technical Education Program	9,243		9,243
(i) Administration of Junior College School System Program ...			9,243
The proposed spending plan for the above is as follows:			
Operations & Maintenance of Department	9,243		
SOURCE OF FUNDS:			
(1) ASETF	9,243		
Total Adm. of Junior College School System Program	9,243		9,243
(j) Rehabilitation Services Program			32,839,711
SOURCE OF FUNDS:			
(1) ASETF	7,097,000		
(2) Federal and Local Funds		25,742,711	
Total Rehabilitation Services Program	7,097,000	25,742,711	32,839,711
(k) Hemophilia Program			300,000

SOURCE OF FUNDS:

(1) ASETF	<u>300,000</u>	
Total Hemophilia Program	300,000	300,000
(As provided for under Act 1181, 1975 Regular Session.)		
(1) Homebound Program		2,900,000

SOURCE OF FUNDS:

(1) ASETF	<u>2,900,000</u>	
Total Homebound Program	2,900,000	2,900,000

(The above appropriation is to be
expended in accordance with Act
No. 109, Third Special, 1975, ap-
proved May 1, 1975.)

(m) Disability Determination for Social Security Program		7,549,812
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SOURCE OF FUNDS:

(1) Federal and Local Funds	<u>7,549,812</u>	
Total Disability Determination for Social Security Program	7,549,812	7,549,812
(n) Crippled Children Services Program		6,742,190

SOURCE OF FUNDS:

(1) ASETF	3,979,690	
(2) Federal and Local Funds	<u>2,762,500</u>	
Total Crippled Children Services Program	3,979,690	2,762,500
(o) Manpower Development and Employment		5,894,844

The proposed spending plan for the
above is as follows:

Operation & Maintenance of De- partment	17,958
Comprehensive Employment & Training	484,000

SOURCE OF FUNDS:

(1) ASETF	501,958	
(2) Federal and Local Funds	<u>5,392,886</u>	
Total Manpower Development and Employment Opportunities Pro- gram	501,958	5,392,886
(p) Planning and Coordination Services Program		181,826

The proposed spending plan for the
above is as follows:

Southern Regional Educational
Board 181,826

SOURCE OF FUNDS:

(1) ASETF	181,826	
Total Planning & Coordination Services Program	181,826	181,826
(q) Support of State Universities Program		10,000

The proposed spending plan for the
above is as follows:

Education of Dependents of Blind
Parents 10,000

SOURCE OF FUNDS:

(1) ASETF	10,000	
Total Support of State Universities Program	10,000	10,000

For reimbursement of every State
Institution of Higher Learning,
College, University, or Trade
School or Junior College, in
which benefits are given to de-
pendents of blind parents under
the provisions of Act No. 281,
1966 Special Session.

(r) Emergency Medical Services Education Program		1,500,000
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To be distributed by the Depart-
ment of Education as follows:

(1) West Alabama Emergency Medical Services, Inc.	307,000
(2) Birmingham Regional Emer- gency Medical Services System .	292,000
(3) North Alabama Emergency Medical Services, Inc.	277,000
(4) Southeast Alabama Emer- gency Medical Services Systems, Inc.	277,000
(5) East Alabama Emergency Medical Services, Inc.	227,000
(6) Southwest Alabama Emer- gency Medical Services Council, Inc.	120,000

The amounts herein appropriated shall be used for the operation and maintenance of the various medical services programs named and for the purchase of instructional supplies and new instructional equipment for such programs.

SOURCE OF FUNDS:

(1) ASETF	<u>1,500,000</u>	
Total Emergency Medical Service Education Program	1,500,000	1,500,000
TOTAL DEPARTMENT OF EDUCATION		

SOURCE OF FUNDS:

(1) ASETF	83,358,974	
(2) Federal and Local Funds	<u>235,409,240</u>	
Grand Total Department of Education	83,358,974	235,409,240 318,768,214

5. Examiners of Public Accounts

(a) Legislative Support-Audit Services Program	1,000,000
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For purposes of auditing all phases of public education.

SOURCE OF FUNDS:

(1) ASETF	<u>1,000,000</u>	
Total Examiners of Public Accounts	1,000,000	1,000,000

6. Alabama Film Commission

(a) Promotional Development Program	100,000
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SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>	
Total Alabama Film Commission .	100,000	100,000

7. Alabama School of Fine Arts

(a) Fine Arts Program	941,855
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SOURCE OF FUNDS:

(1) ASETF	850,000	
(2) Federal and Local Funds	<u>91,855</u>	
Total Alabama School of Fine Arts	850,000	91,855 941,855

8. Alabama Firefighters' Personnel Standards and Education Commission

(a) Professional and Occupational Licensing & Regulation Program		150,000
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SOURCE OF FUNDS:

(1) ASETF	<u>150,000</u>	
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Total Alabama Firefighters' Per- sonnel Standards and Education Commission	150,000	150,000
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9. Health Department

(a) Health Support Services Pro- gram		500,000
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For immunization of pre-school
children and students and for
public school food sanitation.

(b) For the Division of Maternal and Child Health		200,000
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Provided, however, that the above
appropriation shall be expended
only for the development of a
perinatal program whose expen-
diture guidelines shall be devel-
oped in conjunction with the
Perinatal Advisory Committee of
the State Committee of Public
Health. Such guidelines shall be
comprehensive enough to serve
as a statewide perinatal plan is
meeting Federal matching re-
quirements.

SOURCE OF FUNDS:

(a) ASETF	<u>700,000</u>	
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Total Health Department	700,000	700,000
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10. Commission on Higher Educa-
tion

(a) Planning & Coordination Ser- vices Program		462,430
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(b) Support of Other Educational Activities Program		1,220,400
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SOURCE OF FUNDS:

(1) ASETF	407,000	
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(2) Federal and Local Funds		<u>1,275,830</u>
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Total Commission on Higher Edu- cation	407,000	1,275,830	1,682,830
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No salary of any employee of the
Commission shall exceed the sal-
ary paid to the State Superinten-
dent of Education.

To be expended in accordance with
Act No. 14, 1969 Special Session.

11. Alabama Board of Nursing:

(a) Professional and Occupational Licensing and Regulation Pro- gram	542,891
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SOURCE OF FUNDS:

(1) ASETF as provided in Act No. 68, 1977 Special Session. Schol- arships for Graduate Nurses ...	57,000		
(2) Alabama Board of Nursing Trust Fund as provided in Title 34, Chapter 21, Code of Alabama 1975, as amended		<u>485,891</u>	
Total Alabama Board of Nursing .	57,000	485,891	542,891

12. Alabama Historical Commis-
sion

(a) Historical Resource Manage- ment and Archaeological Re- search	150,000
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SOURCE OF FUNDS:

(1) ASETF	<u>150,000</u>		
Total Alabama Historical Commis- sion	150,000		150,000

13. Alabama Industrial Develop-
ment Training Institute

(a) Industrial Training Program .	1,885,752
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SOURCE OF FUNDS:

(1) ASETF	<u>1,885,752</u>		
Total Alabama Industrial Devel- opment Training Inst.	1,885,752		1,885,752

14. Junior College School System

(a) Academic Instruction and In- stitutional Support Program ...	69,648,063
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SOURCE OF FUNDS:

(1) ASETF	41,350,000		
(2) Federal and Local Funds		9,050,476	
(3) State Funds		245,787	
(4) Other Funds		<u>19,001,800</u>	
Total Junior College School System	41,350,000	28,298,063	69,648,063

For operation and maintenance of the Junior Colleges listed below to be
distributed on formula adopted by the State Board of Education. \$200,000.00

to each junior college listed below. The remainder of the appropriation is to be allotted to each such junior college in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1977-78 by all such junior colleges. Continuing education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.) Of the above appropriations contained herein in Section 3, paragraph A-14 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the state junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted to all full time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978, and personnel shall be placed on the schedule and given credit for each year of actual employment.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received, shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

15. Alabama Law Institute

(a) Support of Other Educational Activities Program	199,000
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SOURCE OF FUNDS:

(1) ASETF	199,000	
Total Alabama Law Institute	199,000	199,000

17. Public Library Service

(a) Public Library Services Program	4,032,066
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SOURCE OF FUNDS:

(1) ASETF	2,563,000	
(2) ASETF for equipment purchases for physically handicapped and blind	47,000	
(3) ASETF for operation of facility	390,000	
(4) Federal and Local Funds		<u>1,032,066</u>

Total Public Library Services	3,000,000	1,032,066	4,032,066
18. Marine Environmental Sciences Consortium			
(a) Support of other Educational Activities Program			778,750
SOURCE OF FUNDS:			
(1) ASETF	568,750		
(2) Federal and Local Funds		60,000	
(3) University of Alabama		<u>150,000</u>	
Total Marine Environmental Sciences Consortium	568,750	210,000	778,750
19. Medical Scholarships Board			
(a) Support of other Educational Activities Program			555,000
SOURCE OF FUNDS:			
(1) ASETF	<u>555,000</u>		
Total Medical Scholarship Board	555,000		555,000
(To be expended under the provisions of Act No. 663, 1977 Regular Session.)			
20. Minimum Program			
(a) Financial Assistance Program			581,236,819
SOURCE OF FUNDS:			
(1) ASETF	556,560,334		
(2) Public School Fund		20,000,000	
(3) Local Effort		<u>4,676,485</u>	
Total Minimum Program Fund	556,560,334	24,676,485	581,236,819
(aa) To be distributed by the State Board of Education for:			
Local Boards	484,910,244		
Board of Adjustment Awards	150,000		
Teachers Sick Leave	3,890,178		
Teachers Personal Leave	1,296,726		
Hospital—Medical Insurance Assistance	9,427,961		
Funds to Replace Fees	10,488,225		
Maintenance	6,000,000		
Sick Leave for Support Personnel	800,000		
Additional for Special Education	25,550,000		
Salary Increases for Lunchroom Workers	7,747,000		
Insurance for Support Staff	6,300,000		

The Minimum Program Fund, which in accordance with the Statutes and regulations of the State Board of Education relating to the expenditure of such funds, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(bb) Of the total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-systems, and/or state-wide programs for exceptional children. In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1977-78, six hundred fifty (650) are provided for the reduction of the class size in grades 1-6. The Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1977-78 school year. In addition to the three thousand two hundred fifty (3,250) special units now provided through the minimum program, there is hereby provided the sum of 25 million, five hundred and fifty thousand dollars (\$25,550,000) to be used in the area of special education. The funds to provide for this program are included under the programmatic appropriations of Section 20 (aa) Minimum Program and the wording in this section (bb) is for intended to be construed to be a second funding. Of the \$25,550,000 for Special Education, \$1,422,846 shall be allocated to local boards of education and administered through the Division of Vocational Education for meeting matching requirements of Federal Legislation (P.L. 94-482) for vocational education for the handicapped. An amount approved by the State Board of Education and State Superintendent of Education may be distributed by the State Board of Education to the Alabama Institute for Deaf and Blind to implement the purposes of Act 106 and P.L. 94-142. The remaining funds of this category shall be allocated by the State Board of Education on a formula developed by the State Superintendent of Education and his staff. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must

be approved by the State Superintendent of Education before such funds are disbursed. The proposals may include, but are not limited to, any or all of the following: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be determined by the State Superintendent of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Superintendent, through his staff, shall monitor programs to assure that the purposes for which these funds are provided are carried out on the approved plan.

In addition to the above appropriation to exceptional children there is hereby appropriated \$5,000,000 which is conditional upon the condition of the Alabama Special Educational Trust Fund and upon approval of the Governor.

Three hundred eighty (380) additional kindergarten units are herewith provided for the phasing in of the kindergarten program during the specified fiscal year and shall be dispersed with the kindergarten teacher units being at least equal to the amount received by the respective local school boards during the preceeding fiscal year. In addition thereto, all local school boards shall receive all kindergarten teacher units now supplied by federal funds if these programs continue to be federally funded.

(cc) Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is herein above appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. From the funds provided herein above, each local county and city board of education shall allocate to the schools in their respective systems an amount based on \$250 or \$300 for each teacher unit assigned to each school.

With each faculty member being given an opportunity for input, the faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, by majority vote, approve a budget for the school. At least one-half of this amount shall be available for each teacher for materials and supplies for that teacher's students; provided, however, any teacher may sign a waiver releasing said funds for joint purchases within the school. No board of education shall withhold from any school any funds to which they are entitled under the provisions of this Act. Based on this budget, the faculty shall recommend to the superintendent the recommended amount to be allotted to each teacher to be spent for agreed upon items and other amounts to be used for the common good of all for the operation of the instructional program within the school. The local school board shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In courses not required for graduation, local schools boards may set reasonable fees for courses requiring laboratory and shop

materials and equipment; provided, however, such fees shall be waived for students who cannot afford to pay the fees. Any funds collected in fees shall be spent on the course for which the fee was levied. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) It is provided that in addition to all units earned by the local school system under the Minimum program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expended from local funds for teachers during the school year 1977-78 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios or that where there has been a decrease in school population to justify such reduction. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to the State Board of Education the implementation of the above provisions by December 31, 1978 and to the Legislature by the first legislative day of the next regular session.

(ee) The appropriation hereinabove made to the Minimum Program Fund provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1979.

(ff) Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance. No portion of the funds herein appropriated for employee hospital-medical insurance may be used to pay premiums for any group insurance policy that is available only to members of any private organization.

Provided, further, that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation #56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified professional employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of educa-

tion with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

In no event shall a professional staff member be eligible for more than one hospital-medical insurance assistance allotment.

(gg) Of the appropriation hereinabove made to the Minimum Program there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per full-time support person (defined in sub-section ii) employed by any local board of education or by any school under the local board's jurisdiction to provide hospital-medical insurance assistance, provided however that only adult school bus drivers are included and coverage is not included for student school bus drivers.

Provided, further, that any employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation #56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The support personnel shall participate in the same carrier and plan selection process as the teachers within the school system; except that in no instance shall a local school board be required to approve a separate carrier and plan for support employees in addition to the carrier and plan selected by majority vote of all employees of that school board. Any funds not used in the fiscal year shall revert to the Alabama Special Education Trust Fund.

In no event shall a support staff member be eligible for more than one hospital-medical insurance assistance allotment.

(hh) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$2,204.75 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in sub-section (a) Local Boards shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$38,066,490.00.

The appropriation hereinabove set out for the fiscal year 1978-79 is based on 31,736 teacher units.

It is provided in the event there are more than 31,736 earned teacher units for the fiscal year 1978-79, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided, in the event that there be less earned teacher units than those set out above, then the amount that would have been necessary to pay for these earned teacher unit shall be allotted by the State Board of Education on a formula developed by the State Superintendent of Education and his staff for teacher units to continue the phasing-in of the State kindergarten program. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

(ii) It is provided that from the appropriation hereinablve made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. These increases are for teachers with one hundred eighty-day contracts. (Additional pro rata salary increases shall be) granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificate. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

In addition to all salary now received and all local increments due for the 1978-79 school year, all full-time employees of city and county boards of education and all full-time employees in the school under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on the number of hours worked per day. All adult school bus drivers shall receive a salary increase of not less than five hundred dollars (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars (\$300) per annum and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

Each Local board of education shall have the following options as to how the salary increases shall be distributed:

- 1) Across the currently used pay periods for the school year or
- 2) Across the summer months payable in equal installments.

(jj) The \$800,000 appropriated in Section 20 (aa) is to provide sick leave for support personnel in accordance with Act No. 208, 1977 Regular Session of the Alabama Legislature.

21. Alabama Occupational Information System

(a) Employment and Social Opportunities Program	590,051
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SOURCE OF FUNDS:

(1) ASETF	200,000		
(2) Federal and Local Funds		<u>390,051</u>	
Total Alabama Occupational Information System	200,000	390,051	590,051

22. Alabama Peace Officers Standards and Training Commission

(a) Professional and Occupational Licensing and Regulation Program	80,000
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(b) Certified Law Enforcement Academy Programs	246,200
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Jacksonville State University	61,550
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University of Alabama ...	61,550
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James H. Faulkner Jr. Col.	61,550
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Troy State Univ. Montgomery	61,550
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SOURCE OF FUNDS:

(1) ASETF	<u>326,200</u>		
Total Alabama Peace Officers Standards and Training Commission	326,200		326,200

23. Commission on Physical Fitness

(a) Advisory Services Program ...	83,000
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SOURCE OF FUNDS:

(1) ASETF	<u>83,000</u>		
Total Commission on Physical Fitness	83,000		83,000

24. Post-Secondary Vocational-Technical Education System

(a) Instructional Support Program	47,772,443
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SOURCE OF FUNDS:

(1) ASETF	34,251,521		
(2) Federal and Local Funds		815,457	
(3) Other Funds		<u>12,705,465</u>	
Total Post-Secondary Vocational- Technical Education System ...	34,251,521	13,520,922	47,772,443

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education. (The above appropriation is to be distributed to the following Vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College—Technical Division (7); Carver State Technical Institute School; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical School; (12) Theodore A. Lawson State Community College—Technical Division (13) Douglas MacArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnelle State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker County State Technical College; (26) George Corley Wallace State Community College—Technical Division (Selma); (27) George C. Wallace State Community College—Technical Division (Dothan); (28) George C. Wallace State Community College—Technical Division Hanceville).

Of the above appropriations contained herein in Section 3 (a) (24) not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978, and personnel shall be placed on the schedule and given credit for each year of actual employment.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received, shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

"The State Board of Education in providing equity salary adjustments as required in Act 637, Regular Session 1977, for instructors, librarians, and counselors employed as of September 1, 1978, in all technical colleges shall place all such personnel who have been employed at a technical college for at least ten (10) years at Rank IV, Step 10, of the Salary Schedule for Instructors, Librarians, and Counselors at State Community, Junior, and Technical Colleges. Those employed for at least seven (7) years but less than ten (10) years shall be placed no lower than Rank III, step 10 of the schedule; and

those employed for at least (4) years but less than seven (7) years shall be placed on lower than Rank II, Step 10 of the schedule. All credit on the salary schedule granted a teacher at the time of employment shall be used in determining placement on the salary schedule as required hereinabove."

25. Social Security

(a) For State's share of Social Security, Estimated		47,249,440
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SOURCE OF FUNDS:

(1) ASETF	<u>47,249,440</u>	
Total Social Security	47,249,440	47,249,440

26. Sports Hall of Fame

(a) Historical Resources Management Program		51,894
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SOURCE OF FUNDS:

(1) ASETF	30,000		
(2) Sports Hall of Fame Operating Fund		<u>21,894</u>	
Total Sports Hall of Fame	30,000	21,894	51,894

27. Alabama Education Study Commission

(a) Advisory Services Program ...		210,000
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SOURCE OF FUNDS:

(1) ASETF	<u>210,000</u>	
Total Alabama Education Study Commission	210,000	210,000

(To be used for educational studies in accordance with Act No. 15, 1969 Special Session.)

28. Teachers' Retirement System of Alabama

(a) Retirement Systems Program, Estimated		142,396,640
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SOURCE OF FUNDS:

(1) ASETF—Teachers' Retirement System	140,297,462	
(2) ASETF—Teachers' Special Pension Fund	<u>2,099,178</u>	
Total Retirement Systems Program (State's Share)	142,396,640	142,396,640

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers'

Retirement Fund. Provided that any increase in the above appropriations shall be made only after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

29. State Tenure Commission

(a) Regulation Program		10,000
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SOURCE OF FUNDS:

(1) ASETF	<u>10,000</u>	
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Total State Tenure Commission ..	10,000	10,000
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30. Educational TV Commission

(a) Educational TV Services Program		2,885,500
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(b) Public Radio Service Program		195,000
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SOURCE OF FUNDS:

(1) ASETF	2,205,500	
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(2) Federal and Local Funds		<u>875,000</u>
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Total Educational TV Commission ..	2,205,500	875,000	3,080,500
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31. Veterans Education Benefits

(a) Administration of Veterans Affairs Program		1,350,000
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SOURCE OF FUNDS:

(1) ASETF	<u>1,350,000</u>	
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Total Veterans Educational Benefits	1,350,000	1,350,000
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The above appropriation includes pro-rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act no. 767, 1965 Regular Session.

32. John M. Will Journalism Scholarship Fund

(a) Support of other Educational Activities Program		1,000
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SOURCE OF FUNDS:

(1) ASETF	<u>1,000</u>	
Total John M. Will Journalism Scholarship Fund	1,000	1,000
33. Youth Services		
(a) Youth Services Program		9,206,171

SOURCE OF FUNDS:

(1) ASETF	7,521,171	
(2) Federal and Local Funds	<u>1,685,000</u>	
Total Youth Services	7,521,171	1,685,000
		9,206,171

(To be expended in accordance with
Act No. 816, 1973 Regular Ses-
sion.)

(Of the above appropriation, Fif-
teen Thousand Dollars (\$15,000)
shall be spent for the construc-
tion of a chapel on the campus at
Mount Meigs.)

Section 4.

B. NON-STATE EDUCATIONAL
AGENCIES:

1. American Legion Auxiliary Scholarship Fund		10,000
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SOURCE OF FUNDS:

(1) ASETF	<u>10,000</u>	
Total American Legion Auxiliary Scholarship Fund	10,000	10,000

(To be expended under the provi-
sions of Act No. 676, 1978 Regu-
lar Session.)

3. Birmingham Training Center
for Brain Injured Children

(a) Non-Institutional Treatment and Care Program		30,000
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SOURCE OF FUNDS:

(1) ASETF	<u>30,000</u>	
Total Birmingham Training Cen- ter for Brain Injured Children .	30,000	30,000

4. East Alabama Regional Child
Development Program

(a) Financial Assistance Program		580,373
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SOURCE OF FUNDS:

(1) ASETF	525,000	
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(2) Federal and Local Funds		<u>55,373</u>	
Total East Alabama Regional Child Development Program . . .	525,000	55,373	580,373
Of the above appropriation the counties of Limestone, Jackson, Madison and Marshall shall receive \$25,000 each.			
5. Environmental Quality Association			
(a) Environmental Education Program			175,000
SOURCE OF FUNDS:			
(1) ASETF	<u>175,000</u>		
Total Environmental Quality Association	175,000		175,000
6. Montgomery Institute for Neurological Development			
(a) Non-Institutional Treatment and Care Program			25,000
SOURCE OF FUNDS:			
(1) ASETF	<u>25,000</u>		
Total Montgomery Institute of Neurological Development	25,000		25,000
7. Opportunities Industrialization Centers			
(a) Manpower Development and Employment Opportunities Program			175,000
SOURCE OF FUNDS:			
(1) ASETF	<u>175,000</u>		
Total Opportunities Industrialization Centers	175,000		175,000
8. Sylacauga Nurses Training School			
(a) Support of Other Educational Activities Program			384,984
SOURCE OF FUNDS:			
(1) ASETF	58,000		
(2) Federal and Local Funds		17,500	
(3) Other Funds		<u>273,484</u>	
Total Sylacauga Nurses Training School	58,000	290,984	348,984
(The above includes \$18,000 for Nursing Scholarships.)			

(To be expended in accordance with Act No. 2393, 1971 Regular Session.)

9. Hall of Fame Bowl Game:

(a) Tourism and Travel Promotion 50,000

SOURCE OF FUNDS:

(1) ASETF 50,000

Total Hall of Fame Bowl Game .. 50,000 50,000

Section 5.

COLLEGES, UNIVERSITIES AND SCHOOLS

Of the funds appropriated in Section 5 herein for colleges, universities and schools listed below, no institution shall be eligible to receive appropriations provided herein unless such institution provides its employees, upon their request, payroll deduction of dues from at least seven (7) different pay periods for the local affiliate of any general incorporated statewide educator's organization or labor organization. Deduction of dues shall be made only upon written request of the employee and shall not be construed to grant any organization any bargaining rights upon behalf of the institution's employees. Deduction of dues shall not be required for any organization which serves only persons employed in a particular subject matter area or that is not affiliated with a public statewide employee organization which complies with Alabama statutes.

I. Board of Trustees of University of Alabama

A. The University

1. Operations & Maintenance, Extension, Public Service & Research:

(a) Instruction	22,187,787
(b) Transfers	833,373
(c) Libraries	1,405,171
(d) Academic Support (excl. Libr.)	4,511,867

(e) Student Services	1,558,251
(f) Institutional Support	6,550,441
(g) Operation & Maintenance of Physical Plant	5,646,479
(h) Scholarships and Fellowships	648,766
(i) Capital Outlay	1,095,259
(j) Debt Service	292,240

SOURCE OF FUNDS:

(1) ASETF	31,323,728		
(2) Other Sources		<u>13,405,906</u>	

Total Operations & Maintenance, Extension, Public Service & Re- search	31,323,728	13,405,906	44,729,634
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2. Extension, Public Service & Research:

(a) Research	133,829
(b) Public Service	2,665,090
(c) Capital Outlay	20,720
(d) Debt Service	57,364
(e) Transfers	16,594

SOURCE OF FUNDS:

(1) ASETF	1,850,000		
(2) Other Sources		<u>1,043,597</u>	

Total Extension, Public Service, and Research	1,850,000	1,043,597	2,893,597
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3. Emergency Medical Services
Paramedic Training:

(For operation and maintenance)

(a) Public Service	125,000
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SOURCE OF FUNDS:

(1) ASETF	<u>125,000</u>
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Total Emergency Medical Services	125,000	125,000
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4. Center for Emotionally Dis-
turbed Children:

(a) Academic Support (excl. Lib.)	472,462
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SOURCE OF FUNDS:

(1) ASETF	<u>472,462</u>
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Total Center for Emotionally Dis- turbed Children	472,462	472,462
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5. Nursing Scholarships:

(a) Scholarships and Fellowships . 18,000

SOURCE OF FUNDS:

(1) ASETF 18,000

Total Nursing Scholarships 18,000 18,000

6. School of Mines:

(a) Research 859,000

(b) Public Service 200,000

SOURCE OF FUNDS:

(1) ASETF 1,059,000

Total School of Mines 1,059,000 1,059,000

7. Family Practice Center:

(a) Instruction 312,285

(b) Academic Support (excl. Libr.) 429,360

SOURCE OF FUNDS:

(1) ASETF 741,645

Total Family Practice Center 741,645 741,645

8. Alabama Museum of Natural
History—Mound State Park and
Archaeological Service:

(a) Public Service 182,195

(b) Capital Outlay 6,705

SOURCE OF FUNDS:

(1) ASETF 150,000

(2) Other Sources 38,900

Total Alabama Museum of Natural
History—Mound State Park and
Archaeological 150,000 38,900 188,900

9. College of Community Health
Sciences:

(a) Instruction 1,515,047

(b) Libraries 135,377

(c) Academic Support (excl. Libr.) 409,836

(d) Operation & Maintenance of
Physical Plant 169,412

(e) Capital Outlay 30,314

(f) Hamilton Family Residency
Program 175,000

SOURCE OF FUNDS:

(1) ASETF 2,329,986

(2) Other Sources		<u>105,000</u>	
Total College of Community Health Sciences	2,329,986	105,000	2,434,986
10. Auxiliary Enterprises:			
(a) Scholarships & Fellowships ..			421,679
(b) Capital Outlay			37,652
(c) Auxiliary Enterprises			10,517,791
(d) Debt Service			1,457,481
(e) Transfer to Plant Funds			526,900
SOURCE OF FUNDS:			
(1) Other Sources		<u>12,961,503</u>	
Total Auxiliary Enterprises		12,961,503	12,961,503
11. Restricted Funds:			
(a) Instruction			6,310,584
(b) Research			1,120,746
(c) Public Service			934,713
(d) Academic Support (excl. Libr.) ..			79,116
(e) Student Services			102,883
(f) Institutional Support			308,817
(g) Operation & Maintenance of Physical Plant			138,348
(h) Scholarships and Fellowships ..			795,308
(i) Capital Outlay			347,637
SOURCE OF FUNDS:			
(1) State Funds		3,185,481	
(2) Federal Funds		5,692,671	
(3) Other Sources		<u>1,260,000</u>	
Total Restricted Funds		10,138,152	10,138,152
12. Gadsden Cooperative University Upper Division Program:			
(a) Instruction			267,168
(b) Capital Outlay			15,992
SOURCE OF FUNDS:			
(1) ASETF	193,189		
(2) Other Sources		<u>89,971</u>	
Total Gadsden Cooperative University Upper Division Program ..	193,189	89,971	283,160
13. Rural Infant Development Environment Program			125,000

SOURCE OF FUNDS:

(1) ASETF	125,000		
Total Rural Infant Development Environment Program	125,000		125,000

TOTAL UNIVERSITY OF ALA- BAMA	38,388,010	37,783,029	76,171,039
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B. University of Alabama in Bir-
mingham

1. School of Medicine:

(a) Instruction			14,013,030
(b) Research			17,975,212
(c) Public Service			5,638,999
(d) Libraries			264,132
(e) Academic Support (excl. Libr.)			1,361,489
(f) Student Services			401,368
(g) Institutional Support			2,924,249
(h) Operation & Maintenance of Physical Plant			3,596,996
(i) Scholarships and Fellowships .			115,000
(j) Capital Outlay			900,000
(k) Equipment—Other than Au- tomotive (For Cavitron Laser Machine)			70,000
(l) Training on Special Cancer De- tection for Rehabilitating for Speech & Hearing Disorders ...			45,000
(m) Debt Service			724,221
(n) Hyperthermia Program			109,000

SOURCE OF FUNDS:

(1) ASETF	16,199,000		
(2) State Funds		1,550,000	
(3) Federal Funds		22,400,000	
(4) Local Funds		550,000	
(5) Other Sources		7,439,696	
Total School of Medicine	16,199,000	31,939,696	48,138,696
2. Family and Other Primary Care Residency Programs:			
(a) Instruction			1,723,390
(b) Institutional Support			18,590
(c) Operation & Maintenance of Physical Plant			20,020

SOURCE OF FUNDS:

(1) ASETF 1,762,000

Total Family and Other Primary Care Residency Programs	1,762,000	1,762,000
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The above appropriation shall be
expended for residency programs
as follows:

Anniston 230,000

East End 230,000

Jefferson County 230,000

Montgomery 330,000

Montg.-Internal Medicine 220,000

Heflin 50,000

Selma 342,000

Gadsden 230,000

3. University College:

(a) Instruction 10,763,800

(b) Research 453,100

(c) Public Service 1,061,300

(d) Libraries 1,357,200

(e) Academic Support (excl. Libr.) 2,467,492

(f) Student Services 903,284

(g) Institutional Support 2,248,924

(h) Operation & Maintenance of
Physical Plant 1,675,854

(i) Scholarships and Fellowships . 120,000

(j) Capital Outlay 400,000

(k) For Vocational Teacher Train-
ing 125,000

SOURCE OF FUNDS:

(1) ASETF 13,452,764

(2) Federal Funds 382,821

(3) Local Funds 656,903

(4) Other Sources 7,083,466

Total University College	13,452,764	8,123,190	21,575,954
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4. University Hospital and Clinics:

(a) Hospital 81,914,088

(b) Debt Service 2,798,000

SOURCE OF FUNDS:

(1) ASETF 5,907,000

(2) Other Sources		<u>78,805,088</u>	
Total University Hospital and Clinics	5,907,000	78,805,088	84,712,088
5. School of Optometry:			
(a) Instruction			2,111,241
(b) Research			91,684
(c) Public Service			62,188
(d) Libraries			5,477
(e) Academic Support (excl. Libr.)			296,586
(f) Student Services			33,263
(g) Institutional Support			154,370
(h) Operation & Maintenance of Physical Plant			315,882
(i) Debt Service			26,125
SOURCE OF FUNDS:			
(1) ASETF	2,021,500		
(2) State Funds		267,731	
(3) Other Sources		<u>807,585</u>	
Total School of Optometry	2,021,500	1,075,316	3,096,816
6. School of Public and Allied Health:			
(a) Instruction			1,890,445
(b) Research			64,469
(c) Public Service			245,500
(d) Libraries			27,785
(e) Academic Support (excl. Libr.)			484,513
(f) Student Services			60,197
(g) Institutional Support			230,800
(h) Operation & Maintenance of Physical Plant			257,771
(i) Scholarships and Fellowships			16,000
(j) Debt Service			29,514
SOURCE OF FUNDS:			
(1) ASETF	1,838,473		
(2) Federal Funds		1,089,642	
(3) Other Sources		<u>378,879</u>	
Total School of Community and Allied Health Resources	1,838,473	1,468,521	3,306,994
7. Regional Technical Institute:			

(a) Instruction	1,382,972
(b) Research	24,750
(c) Public Service	95,495
(d) Libraries	35,627
(e) Academic Support (excl. Libr.)	210,097
(f) Student Services	63,388
(g) Institutional Support	102,146
(h) Operation & Maintenance of Physical Plant	292,825

SOURCE OF FUNDS:

(1) ASETF	1,697,245		
(2) Federal Funds		349,873	
(3) Other Sources		<u>160,182</u>	
Total Regional Technical Institute	1,697,245	510,055	2,207,300

8. Joint Health Sciences Program:

(a) Instruction	1,675,968
(b) Libraries	32,400
(c) Academic Support (excl. Libr.)	185,700
(d) Student Services	12,000
(e) Institutional Support	280,400
(f) Operation & Maintenance of Physical Plant	572,164
(g) Scholarships and Fellowships .	100,000
(h) Capital Outlay	50,000

SOURCE OF FUNDS:

(1) ASETF	2,392,488		
(2) Federal Funds		175,800	
(3) Other Sources		<u>340,344</u>	
Total Joint Health Sciences Pro- gram	2,392,488	516,144	2,908,632

9. Department of Pediatrics:

(a) Instruction	318,000
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SOURCE OF FUNDS:

(1) ASETF	<u>318,000</u>		
Total Department of Pediatrics . . .	318,000		318,000

10. Center for Labor Education & Research:

(a) Research	43,070
(b) Public Service	172,270

(c) Institutional Support		30,040
(d) Operation & Maintenance of Physical Plant		23,794
SOURCE OF FUNDS:		
(1) ASETF	<u>269,174</u>	
Total Center for Labor Education and Research	269,174	269,174
11. Student Nurses Loans:		
(a) Scholarships & Fellowships ..		12,000
SOURCE OF FUNDS:		
(1) ASETF	<u>12,000</u>	
Total Student Nurses Loans	12,000	12,000
12. Special Mental Health:		
(a) Instruction		1,684,908
(b) Research		362,451
(c) Public Service		91,707
(d) Institutional Support		95,246
(e) Operation & Maintenance of Physical Plant		80,877
(f) Transfers		567,710
SOURCE OF FUNDS:		
(1) Special Mental Health Fund .	<u>2,882,899</u>	
Total Special Mental Health	2,882,899	2,882,899
13. Center for Developmental and Learning Disorders:		
(a) Instruction		1,404,635
(b) Research		25,083
(c) Public Service		1,078,560
SOURCE OF FUNDS:		
(1) Special Mental Health Fund .	487,250	
(2) Federal Funds	1,482,501	
(3) Other Sources	<u>538,527</u>	
Total Center for Development and Learning Disorders	2,508,278	2,508,278
14. School of Dentistry:		
(a) Instruction		5,525,057
(b) Research		3,871,173
(c) Public Service		561,287
(d) Libraries		102,052

(e) Academic Support (excl. Libr.)	574,044
(f) Student Services	127,565
(g) Institutional Support	803,661
(h) Operation & Maintenance of Physical Plant	2,079,120
(i) Debt Service	85,000

SOURCE OF FUNDS:

(1) ASETF	6,938,000		
(2) Federal Funds		4,100,000	
(3) Other Sources		<u>2,690,959</u>	
Total School of Dentistry	6,938,000	6,790,959	13,728,959

15. School of Nursing Scholarships:

(a) Scholarships & Fellowships ..	88,400
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SOURCE OF FUNDS:

(1) ASETF	<u>88,400</u>	
Total School of Nursing Scholarships	88,400	88,400

16. System Medical Education Program:

(a) Instruction	503,500
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SOURCE OF FUNDS:

(1) ASETF	<u>503,500</u>	
Total System Medical Education Program	503,500	503,500

17. School of Nursing:

(a) Instruction	2,621,714
(b) Research	51,134
(c) Public Service	45,000
(d) Libraries	34,080
(e) Academic Support (excl. Libr.)	399,325
(f) Student Services	133,991
(g) Institutional Support	248,857
(h) Operation & Maintenance of Physical Plant	317,983
(i) Scholarships & Fellowships ...	20,000

SOURCE OF FUNDS:

(1) ASETF	2,546,102	
(2) Federal Funds		719,603
(3) Other Sources		<u>606,379</u>

Total School of Nursing	2,546,102	1,325,982	3,872,084
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18. Health—Related Research and Public Service:

(a) Instruction			925,900
(b) Research			670,900
(c) Public Service			1,051,100
(d) Academic Support (excl. Libr.)			24,900
(e) Institutional Support			135,500
(f) Operation & Maintenance of Physical Plant			141,654

SOURCE OF FUNDS:

(1) ASETF	2,889,654		
(2) Other Sources		<u>60,300</u>	

Total Health—Related Research and Public Service	2,889,654	60,300	2,949,954
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(These appropriations under Subsection B, University of Alabama in Birmingham are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

19. Emergency Medical Training, Including Mining Emergency Training & Safety:

(a) Instruction			125,000
(b) Public Service			40,000

SOURCE OF FUNDS:

(1) ASETF	<u>165,000</u>		
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Total Emergency Medical Training	165,000		165,000
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20. Urban Research and Public Service:

(a) Research			46,800
(b) Public Service			97,870
(c) Libraries			17,020

(d) Operation & Maintenance of Physical Plant			8,522
SOURCE OF FUNDS:			
(1) ASETF	170,212		
Total Urban Research & Public Service	170,212		170,212
21. Hypertension Research			400,000
SOURCE OF FUNDS:			
(1) ASETF	400,000		
Total Hypertension Research	400,000		400,000
22. Arthritis Research			400,000
SOURCE OF FUNDS:			
(1) ASETF	400,000		
Total Arthritis Research	400,000		400,000
TOTAL UNIVERSITY OF ALA- BAMA IN BIRMINGHAM	59,970,512	136,006,428	195,976,940
C. University of Alabama in Huntsville:			
(1) Operation and Maintenance:			
(a) Instruction			4,439,805
(b) Research			1,514,883
(c) Public Service			277,652
(d) Libraries			330,645
(e) Academic Support (excl. Lib.) .			264,531
(f) Student Service			536,212
(g) Institutional Support			1,008,079
(h) Operation and Maintenance of Physical Plant			1,000,930
(i) Scholarships and Fellowships .			740,577
(j) Auxiliary Enterprises			1,075,163
(k) Equipment Purchases			530,000
SOURCE OF FUNDS:			
(1) ASETF	5,691,184		
(2) Federal Funds		1,988,825	
(3) Other Sources		3,938,468	
Total Operation & Maintenance ..	5,791,184	5,927,293	11,718,477
2. School of Nursing Scholarships:			
(a) Scholarships and Fellowships .			18,000
SOURCE OF FUNDS:			

(1) ASETF	<u>18,000</u>	
Total School of Nursing Scholarships	18,000	18,000
(To be expended in accordance with Act 2290, 1971 Regular Session.)		

3. School of Primary Medical Care:

(a) Instruction		1,704,937
(b) Research		435,865
(c) Public Service		16,423
(d) Libraries		29,906
(e) Academic Support (excl. Libr.)		550,623
(f) Student Services		60,175
(g) Institutional Support		365,534
(h) Operation and Maintenance of Physical Plant		312,094
(i) Scholarships and Fellowships		2,800
(j) Equipment Purchases		47,567

SOURCE OF FUNDS:

(1) ASETF	2,642,511		
(2) Federal Funds		440,228	
(3) Other Sources		<u>443,185</u>	
Total School of Primary Medical Care	2,642,511	883,413	3,525,924

4. Johnson Environmental & Energy Center:

(a) Research		338,626
(b) Public Service		201,730
(c) Institutional Support		23,454
(d) Operation and Maintenance of Physical Plant		44,007
(e) Equipment Purchases		27,282

SOURCE OF FUNDS:

(1) ASETF	269,191		
(2) State Funds		58,911	
(3) Federal Funds		305,168	
(4) Other Sources		<u>1,829</u>	
Total Center for Environmental and Energy Studies	269,191	365,908	635,099

5. Ambulatory Care Center:

(a) Instruction	480,223
(b) Academic Support (excl. Libr.)	466,201
(c) Institutional Support	72,918
(d) Operation and Maintenance of Physical Plant	88,682
(e) Equipment Purchases	50,000

SOURCE OF FUNDS:

(1) ASETF	646,403		
(2) Other Sources		<u>511,621</u>	
Total Ambulatory Care Center ...	646,403	511,621	1,158,024

6. School of Nursing:

(a) Instruction	538,238
(b) Academic Support (excl. Libr.)	197,272
(c) Institutional Support	108,347
(d) Operation and Maintenance of Physical Plant	137,722
(e) Equipment Purchases	2,700

SOURCE OF FUNDS:

(1) ASETF	792,027		
(2) Other Sources		<u>192,252</u>	
Total School of Nursing	792,027	192,252	984,279

7. Paramedic Training:

(a) Instruction	7,750
(b) Public Service	86,000
(c) Institutional Support	16,730
(d) Operation and Maintenance of Physical Plant	14,520

SOURCE OF FUNDS:

(1) ASETF	<u>125,000</u>		
Total Paramedic Training	125,000		125,000

8. Alabama Solar Energy Center:

(a) Research	36,947
(b) Public Service	36,947
(c) Institutional Support	10,226
(d) Operation and Maintenance of Physical Plant	19,188
(e) Equipment Purchases	14,349

SOURCE OF FUNDS:

(1) ASETF	<u>117,657</u>		
Total Solar Energy Center	<u>117,657</u>		<u>117,657</u>
TOTAL UNIVERSITY OF ALABAMA IN HUNTSVILLE	10,401,973	7,880,487	18,282,460
II. Board of Trustees of Alabama A & M Univ.			
A. Alabama A & M University			
1. Operation and Maintenance			
(a) Instruction			5,772,727
(b) Research			1,124,500
(c) Public Service			1,680,425
(d) Libraries			625,400
(e) Academic Support (excl. Libr.)			671,455
(f) Student Services			588,550
(g) Institutional Support			1,840,000
(h) Operation and Maintenance of Physical Plant			2,291,814
(i) Scholarships and Fellowships			150,000
(j) Auxiliary Enterprises			2,900,000
(k) Equipment Purchases			241,814
(l) Automotive Equipment			65,000
(m) Debt Service			451,000
SOURCE OF FUNDS:			
(1) ASETF	8,100,000		
(2) Federal Funds		5,027,000	
(3) Other Sources		<u>5,275,685</u>	
Total Operation & Maintenance ..	8,100,000	10,302,685	18,402,685
2. Vocational Teacher Training ..			250,000
SOURCE OF FUNDS:			
(1) ASETF	<u>250,000</u>		
Total Vocational Teacher Trng. ..	<u>250,000</u>		<u>250,000</u>
TOTAL ALABAMA A & M UNIVERSITY	8,350,000	10,302,685	18,652,685
III. Board of Trustees of Alabama State University			
A. Alabama State University			
1. Operation and Maintenance:			
(a) Instruction			5,215,310
(b) Libraries			670,860

(c) Academic Support (excl. Libr.)	511,880
(d) Student Services	888,340
(e) Institutional Support	1,259,780
(f) Operation and Maintenance of Physical Plant	1,337,810
(g) Scholarships and Fellowships .	3,807,340
(h) Auxiliary Enterprises	2,424,780
(i) Research	93,610
(j) Public Service	93,820
(k) Debt Service	920,000
(l) Support personnel salary in- creases	250,000

SOURCE OF FUNDS:

(1) ASETF	7,368,175		
(2) Federal Funds		4,271,910	
(3) Other Sources		<u>5,833,445</u>	
Total Alabama State University .	7,368,175	10,105,355	17,473,530

IV. Board of Trustees of Auburn University

A. Auburn University

1. Operation and Maintenance:

(a) Instruction	30,016,035
(b) Research	5,987,159
(c) Public Service	4,036,563
(d) Libraries	3,581,220
(e) Academic Support (excl. Libr.)	3,310,474
(f) Student Services	3,273,554
(g) Institutional Support	4,651,892
(h) Operation and Maintenance of Physical Plant	7,476,079
(i) Scholarships and Fellowships .	1,400,000
(j) Auxiliary Enterprises	15,040,000

SOURCE OF FUNDS:

(1) ASETF	34,962,440		
(2) Federal Funds		152,350	
(3) Other Sources		43,637,906	
(4) State Funds		<u>20,280</u>	
Total Operation and Maintenance	34,962,440	43,810,536	78,772,976

2. School of Nursing:

(a) Instruction		500,000	
SOURCE OF FUNDS:			
(1) ASETF	500,000		
Total School of Nursing	500,000		500,000
3. Educational Television:			
(a) Instruction	352,068		
SOURCE OF FUNDS:			
(1) ASETF	352,068		
Total Educational Television	352,068		352,068
4. Center for Vocational Teacher Educational Training:			
(a) Instruction			500,000
SOURCE OF FUNDS:			
(1) ASETF	500,000		
Total Center for Vocational Teacher Educational Training .	500,000		500,000
5. Clinical Psychology:			
(a) Instruction			103,950
(b) Equipment—Other than Au- tomotive			6,050
SOURCE OF FUNDS:			
(1) ASETF	110,000		
Total Clinical Psychology	110,000		110,000
6. Agricultural Experiment Sta- tion (Including Wildlife):			
(a) Research			14,609,845
(b) Institutional Support			618,350
(c) Operation and Maintenance of Physical Plant			286,953
SOURCE OF FUNDS:			
(1) ASETF	7,224,277		
(2) Federal Funds		5,546,341	
(3) Other Sources		2,550,000	
(4) State Funds		194,530	
Total Agriculture Experiment Sta- tion	7,224,277	8,290,871	15,515,148
That all research work and ex- perimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the			

Director of the Agriculture Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1979.

The funds provided in this subsection (a) shall be used for the support of researchers, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the

with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researchers and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

7. Engineering Experimental Station:

(a) Research		812,232
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SOURCE OF FUNDS:

(1) ASETF	<u>812,232</u>	
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Total Engineering Experimental Station	812,232	812,232
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8. Cooperative Extension Service:

(a) Public Service		17,293,319
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SOURCE OF FUNDS:

(1) ASETF	7,893,538	
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(2) Federal Funds	7,872,700		
(3) Local Funds	<u>1,527,081</u>		
Total Cooperative Extension Service	7,893,538	9,399,781	17,293,319
production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaptation and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researchers and experiments dealing with forest production, management and use; for researchers dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researchers to discover new uses of land; for the provisions of necessary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation			
9. Cooperative Extension Service—Retirement:			
(a) Public Service		1,022,840	
SOURCE OF FUNDS:			
(1) ASETF	1,022,840		
(2) Other Sources			
Total Cooperative Extension Service—Retirement	1,022,840		1,022,840

The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

10. Public Service, Research and Extension:

(a) Public Service		346,841
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SOURCE OF FUNDS:

(1) ASETF	<u>346,841</u>	
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Total Public Service, Research and Extension	346,841	346,841
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11. Energy Research		250,000
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SOURCE OF FUNDS:

(1) ASETF	<u>250,000</u>	
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Total Energy Research	<u>250,000</u>	<u>250,000</u>
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TOTAL AUBURN UNIVERSITY	53,974,236	61,501,188	115,475,424
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B. Auburn University at Montgomery:

1. Operations and Maintenance:

(a) Instruction		4,516,113
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(b) Research		87,405
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(c) Public Service		1,801,705
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(d) Libraries		314,216
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(e) Academic Support (excl. Libr.)		245,453
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(f) Student Services		345,521
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(g) Institutional Support		515,122
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(h) Operation and Maintenance of Physical Plant		1,146,296
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(i) Scholarships and Fellowships .		293,295
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(j) Debt Service		60,314
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SOURCE OF FUNDS:

(1) ASETF	5,281,493	
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(2) Federal Funds		1,621,100
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(3) State Funds		45,000
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(4) Other Sources		<u>2,377,847</u>
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Total Operation and Maintenance	5,281,493	4,043,947	9,325,440
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2. Montgomery Area Community
Health Science Institute:

(a) Public Service 127,769

SOURCE OF FUNDS:

(1) ASETF 127,769

Total Montgomery Area Commu-
nity Health Science Institute .. 127,769 127,769

3. Public Service Research and Ex-
tensions (Center for Government
& Public Affairs):

(a) Public Services 158,400

SOURCE OF FUNDS:

(1) ASETF 150,000

(2) Other Sources 8,400

Total Public Service Research and
Extensions (Center for Govern-
ment and Public Affairs) 150,000 8,400 158,400

4. School of Nursing:

(a) Instruction 250,000

SOURCE OF FUNDS:

(1) ASETF 250,000

Total School of Nursing 250,000 250,000

TOTAL AUBURN AT MONT-
GOMERY 5,809,262 4,052,347 9,861,609

V. Board of Trustees of Jackson-
ville State University:

A. Jacksonville State University

1. Operations and Maintenance

(a) Instruction 7,772,548

(b) Public Service 64,172

(c) Libraries 1,061,468

(d) Academic Support (excl. Libr.) 499,736

(e) Student Services 853,172

(f) Institutional Support 370,304

(g) Operation and Maintenance of
Physical Plant 2,310,978

(h) Scholarships and Fellowships 315,000

(i) Debt Service 515,000

SOURCE OF FUNDS:

(1) ASETF 10,272,378

(2) State Funds 160,000

(3) Other Sources		<u>3,230,000</u>	
Total Operations and Maintenance	10,372,378	3,390,000	13,762,378
2. Gadsden Cooperative University Upper Division Program:			
(a) Instruction			465,622
(b) Public Service			8,000
(c) Libraries			38,000
(d) Academic Support (excl. Libr.)			18,000
(e) Student Services			15,000
(f) Operation and Maintenance of Physical Plant			50,000
SOURCE OF FUNDS:			
(1) ASETF	484,622		
(2) Other Sources		<u>110,000</u>	
Total Gadsden Cooperative Uni- versity Upper Division Program	484,622	110,000	594,622
3. Nursing Scholarships:			
(a) Scholarships and Fellowships			18,000
SOURCE OF FUNDS:			
(1) ASETF	<u>18,000</u>		
Total Nursing Scholarships	18,000		18,000
(To be expended in accordance with Act No. 2288, 1971 Regular Ses- sion.)			
4. United Cerebral Palsy Develop- ment Center for East Central Al- abama			
			100,000
SOURCE OF FUNDS:			
(1) ASETF	<u>100,000</u>		
Total United Cerebral Palsy De- velopment Center for East Cent- ral Alabama	100,000		100,000
5. For Vocational Teacher Training	100,000		100,000
TOTAL JACKSONVILLE STATE UNIVERSITY	11,075,000	3,500,000	14,575,000
A. Livingston University:			
1. Operation and Maintenance:			
(a) Instruction			1,634,247
(b) Libraries			173,902
(c) Academic Support (excl. Libr.)			192,472
(d) Student Services			224,790

(e) Institutional Support	630,208
(f) Operation and Maintenance of Physical Plant	891,821
(g) Scholarships and Fellowships	25,646
(h) Auxiliary Enterprises	1,078,000
(i) For Federal Programs	189,800

SOURCE OF FUNDS:

(1) ASETF	3,211,782		
(2) Federal Funds		189,800	
(3) Local Funds		<u>1,643,304</u>	
Total Operation and Maintenance	3,211,782	1,833,104	5,044,886

2. Nursing Scholarships:

(a) Scholarships and Fellowships	18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>		
Total Nursing Scholarships	<u>18,000</u>		<u>18,000</u>

TOTAL LIVINGSTON UNIVERSITY

3,229,782 1,833,104 5,062,886

VII. Board of Trustees of University of Montevallo:

A. University of Montevallo:

1. Operations and Maintenance:

(a) Instruction	2,999,975
(b) Research	50,000
(c) Public Service	89,456
(d) Libraries	249,691
(e) Academic Support	372,312
(f) Student Services	392,952
(g) Institutional Support	807,390
(h) Operation and Maintenance of Physical Plant	1,546,618
(i) Scholarships and Fellowships ..	77,070
(j) Hospitals	306,080
(k) Auxiliary Enterprises	1,966,651

SOURCE OF FUNDS:

(1) ASETF	4,975,198		
(2) State Funds		85,000	
(3) Federal Funds		323,959	
(4) Other Sources		<u>3,474,038</u>	

Total Operations and Maintenance	4,975,198	3,882,997	8,858,195
2. School for Asphasic Children:			
(a) Instruction			276,072
SOURCE OF FUNDS:			
(1) ASETF	199,464		
(2) Federal Funds		3,000	
(3) Other Sources		<u>73,608</u>	
Total School for Asphasic Children	199,464	76,608	276,072
3. Highway Safety Program:			
(a) Instruction			127,788
SOURCE OF FUNDS:			
(1) ASETF	125,714		
(2) Other Sources		<u>2,074</u>	
Total Highway Safety Program ..	125,714	2,074	127,788
4. Communications Center:			
(a) Public Service			18,178
SOURCE OF FUNDS:			
(1) ASETF	<u>18,178</u>		
Total Communications Center ...	18,178		18,178
5. For Vocational Teacher Training			50,000
SOURCE OF FUNDS:			
(1) ASETF	<u>50,000</u>		
Total Vocational Teacher Training	<u>50,000</u>		<u>50,000</u>
TOTAL UNIVERSITY OF MONTEVALLO	5,368,554	3,961,679	9,330,233
VIII. Board of Trustees of University of North Alabama:			
A. University of North Alabama:			
1. Operations and Maintenance:			
(a) Instruction			5,219,942
(b) Research			106,350
(c) Public Service			51,130
(d) Libraries			487,000
(e) Academic Support (excl. Libr.)			629,000
(f) Student Services			835,660
(g) Institutional Support			1,147,000
(h) Operation and Maintenance of Physical Plant			1,636,200

(i) Scholarships and Fellowships .	60,439
(j) Debt Service	170,700

SOURCE OF FUNDS:

(1) ASETF	7,000,000		
(2) Federal Funds		284,680	
(3) Local Funds		85,000	
(4) Other Sources		<u>2,973,741</u>	
Total Operation and Maintenance	7,000,000	3,343,421	10,343,421

2. Auxiliary Enterprises:

(a) Auxiliary Enterprises	2,544,321
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SOURCE OF FUNDS:

(1) Other Sources	<u>2,544,321</u>		
Total Auxiliary Enterprises		2,544,321	2,544,321

3. Nursing School Scholarships:

(a) Scholarships and Fellowships	18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>		
Total Nursing School Scholarships	18,000		18,000

(To be expended in accordance with
Act No. 2304, 1971 Regular Ses-
sion.)

TOTAL UNIVERSITY OF NORTH ALABAMA	7,018,000	5,887,742	12,905,742
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IX. Board of Trustees of University
of South Alabama:

A. University of South Alabama:

1. Operations and Maintenance:

(a) Instruction	8,120,663
(b) Research	175,488
(c) Public Service	49,267
(d) Libraries	416,050
(e) Academic Support (excl. Libr.)	458,281
(f) Student Services	1,272,356
(g) Institutional Support	1,216,059
(h) Operations and Maintenance of Physical Plant	2,137,653
(i) Scholarships and Fellowships .	275,181
(j) Debt Service	1,499,333
(k) Capital Outlay	113,283

(l) Equipment—Other than Automotive	508,199
(m) Automotive Equipment	19,110
(n) Transfers	190,000

SOURCE OF FUNDS:

(1) ASETF	9,852,713		
(2) State Funds		123,353	
(3) Federal Funds		481,400	
(4) Other Sources		<u>5,993,457</u>	
Total Operations and Maintenance	9,852,713	6,598,210	16,450,923

2. Statewide Medical Education:

(a) Instruction	187,824
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SOURCE OF FUNDS:

(1) ASETF	<u>187,824</u>		
Total Statewide Medical Education	187,824		187,824

3. Ambulatory Care:

(a) Academic Support (excl. Libr.)	99,304
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SOURCE OF FUNDS:

(1) ASETF	<u>99,304</u>		
Total Ambulatory Care	99,304		99,304

4. Family Practice Residency Program:

(a) Instruction	423,316
(b) Operations and Maintenance of Physical Plant	4,880
(c) Equipment—Other than Automotive	54,804
(d) Transfers	94,000

SOURCE OF FUNDS:

(1) ASETF	<u>577,000</u>		
Total Family Practice Residency Programs	577,000		577,000

The above appropriation shall be expended for Rural Family Practice Training Programs not limited to but including Family Practice Residency in Baldwin County, Family Practice Training Center in Pike County and start-up costs for Family Practice Residency Program in Dothan.

5. College of Medicine:

(a) Instruction	6,320,483
(b) Research	1,073,449
(c) Public Service	24,707
(d) Libraries	408,000
(e) Academic Support	386,817
(f) Student Services	125,262
(g) Instructional Support	869,353
(h) Operations and Maintenance of Physical Plant	1,228,181
(i) Scholarships and Fellowships .	35,811
(j) Capital Outlay	192,695
(k) Equipment—Other than Au- tomotive	192,695
(l) Transfers	1,791,434

SOURCE OF FUNDS:

(1) ASETF	8,259,329		
(2) Federal Funds		1,262,506	
(3) Other Sources		<u>3,127,052</u>	
Total College of Medicine	8,259,329	4,389,558	12,648,887

6. University Medical Center:

(Includes University Hospital and Clinic)

(a) Medical Center	25,971,366
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SOURCE OF FUNDS:

(1) ASETF	1,677,427		
(2) Other Sources		<u>24,293,939</u>	
Total University Medical Center	1,677,427	24,293,939	25,971,366

7. Newborn Growth and Development Program (formerly Infant and Maternal Care):

(a) Instruction	79,097
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SOURCE OF FUNDS:

(1) ASETF	<u>79,097</u>		
Total Infant and Maternal Care .	79,097		79,097

8. Human and Clinical Nutrition Program

(a) Instruction			25,000
SOURCE OF FUNDS:			
(1) ASETF	25,000		
Total Human and Clinical Nutrition Pro.	25,000		25,000
9. Division of Allied Health:			
(a) Instruction			456,770
(b) Institutional Support			74,384
(c) Equipment—Other than Automotive			57,000
(d) Transfers			96,145
SOURCE OF FUNDS:			
(1) ASETF	586,432		
(2) Other Sources		97,867	
Total Division of Allied Health ..	586,432	97,867	684,299
10. School of Nursing:			
(a) Instruction			500,706
(b) Institutional Support			15,000
(c) Equipment—Other than Automotive			30,000
(d) Transfers			99,942
SOURCE OF FUNDS:			
(1) ASETF	468,864		
(2) Federal Funds		25,500	
(3) Other Sources		151,284	
Total School of Nursing	468,864	76,784	645,648
11. Nursing Scholarships:			
(a) Scholarships and Fellowships			22,539
SOURCE OF FUNDS:			
(1) ASETF	18,000		
(2) Other Sources		4,539	
Total Nursing Scholarships	18,000	4,539	22,539
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)			
12. Research and Public Service Extension:			
(a) Research			40,000
(b) Public Service			51,398

(c) Equipment—Other than Automotive			10,000
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SOURCE OF FUNDS:

(1) ASETF	91,398		
(2) Other Sources		<u>10,000</u>	
Total Research and Public Service Extension	91,398	10,000	101,398

13. Reproductive Health Sciences Center:

(a) Instruction			25,000
(b) Equipment—Other than Automotive			25,000

SOURCE OF FUNDS:

(1) ASETF	<u>50,000</u>		
Total Reproductive Health Sciences Center	50,000		50,000

14. Paramedic Training Program:

(a) For Operations and Maintenance			125,000
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SOURCE OF FUNDS:

(1) ASETF	<u>125,000</u>		
Total Paramedic Training Program	125,000		125,000

15. Auxiliary Enterprises:

(a) Auxiliary Enterprises			4,549,481
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SOURCE OF FUNDS:

(1) Other Sources		<u>4,549,481</u>	
Total Auxiliary Enterprises		4,549,481	4,549,481

16. Basic Medical Sciences:

(a) Instruction			109,323
(b) Research			20,347
(c) Libraries			16,273
(d) Academic Support			25,213
(e) Student Services			3,045
(f) Institutional Support			10,162
(g) Operations and Maintenance of Physical Plant			30,037

SOURCE OF FUNDS:

(1) ASETF	200,000		
(2) Other Sources		<u>14,400</u>	

Total Basic Medical Sciences	<u>200,000</u>	<u>14,400</u>	<u>214,400</u>
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TOTAL UNIVERSITY OF SOUTH ALABAMA

22,297,388	40,120,378	62,417,766
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(These appropriations under Section IX, University of South Alabama, are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama whether acting on their behalf or for others are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

X. Board of Trustees of Troy State University

A. Troy State University:

1. Operations and Maintenance:

(a) Instruction	4,176,400
(b) Research	32,800
(c) Libraries	377,900
(d) Academic Support (excl. Libr.)	259,800
(e) Student Services	831,200
(f) Institutional Support	1,090,300
(g) Operation and Maintenance of Physical Plant	1,300,000
(h) Scholarships and Fellowships	360,000
(i) Public Service	221,800
(j) Auxiliary Enterprises	3,265,318
(k) Capital Outlay	365,000
(l) Debt Services	245,000
(m) Transfer to Plant Fund	100,000
(n) For Vocational Teacher Training	100,000

SOURCE OF FUNDS:

(1) ASETF	6,508,599		
(2) Federal Funds		500,000	
(3) Other Sources		<u>5,716,919</u>	
Total Operations and Maintenance	6,508,599	6,216,919	12,725,518

2. Operation and Maintenance at Ft. Rucker/Dothan:

(a) Instruction	1,137,700
(b) Libraries	114,900
(c) Academic Support (excl. Libr.)	154,700
(d) Student Services	131,200
(e) Institutional Support	172,500
(f) Operation and Maintenance of Physical Plant	116,626
(g) Scholarships and Fellowships	20,000
(h) Auxiliary Enterprises	145,000
(i) Capital Outlay	115,000
(j) Debt Service	80,000

SOURCE OF FUNDS:

(1) ASETF	870,000		
(2) Other Sources		<u>1,317,626</u>	
Total Operations and Maintenance at Ft. Rucker/Dothan	870,000	1,317,626	2,187,626

3. Operations and Maintenance in
Montgomery:

(a) Instruction	1,271,300
(b) Public Service	66,500
(c) Libraries	15,000
(d) Academic Support (excl. Libr.)	145,000
(e) Student Services	235,000
(f) Institutional Support	495,000
(g) Scholarships and Fellowships	5,000
(h) Auxiliary Enterprises	220,000
(i) Capital Outlay	50,000

SOURCE OF FUNDS:

(1) ASETF	222,800		
(2) Other Sources		<u>2,280,000</u>	
Total Operations and Maintenance in Montgomery	222,800	2,280,000	2,502,800

4. Nursing Scholarships:

(a) Scholarships and Fellowships	36,000
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SOURCE OF FUNDS:

(1) ASETF	<u>36,000</u>		
Total Nursing Scholarships	36,000		36,000

(To be expended in accordance with
Act No. 2292, 1971 Regular Ses-
sion.)

5. Operation and Maintenance of
Troy State University's Bay
Minette Branch:

(a) Instruction 50,000

SOURCE OF FUNDS:

(1) ASETF 50,000

Total Operation and Maintenance
at Bay Minette's Branch 50,000 50,000

6. Operation and Maintenance of
BSN Program in Montgomery . 250,000

SOURCE OF FUNDS:

(1) ASETF 250,000

Total Nursing School—Mont-
gomery 250,000 250,000

TOTAL TROY STATE UNIVER-
SITY 7,937,399 9,814,545 17,751,944

Of the amounts appropriated herein above to all colleges and universities for the fiscal year ending September 30, 1979, a minimum cost-of-living salary increase of seven and one-half percent (7½%) of the 1977-78 salary shall be granted across the board to all full-time instructional personnel. These salary increases shall be granted in addition to salary now received and all merit, promotional, and other salary increments due said personnel. Persons employed for ten (10), eleven (11), or twelve (12) months shall receive an additional pro rata salary increases. Provided, however, the provisions hereinabove shall not apply to any medical school except for the teaching personnel in the basic sciences.

XI. Board of Trustees for Alabama
Institute for Deaf and Blind:

A. Alabama Institute for Deaf and
Blind:

1. Operation and Maintenance:

(a) Instructions 1,710,440

(b) Libraries 72,368

(c) Student Services 379,151

(d) Institutional Support 149,190

(e) Operation and Maintenance of
Physical Plant 1,337,543

(f) Scholarships and Fellowships . 1,800

(g) Infirmary Speech and Hearing 133,233

(h) Auxiliary Enterprises 2,179,651

SOURCE OF FUNDS:

(1) ASETF 3,696,500

(2) Federal Funds		<u>2,266,876</u>	
Total Alabama Institute for Deaf and Blind	3,696,500	2,266,876	5,963,376
B. Department of Adult Blind and Deaf:			
1. Operation and Maintenance:			
(a) Instruction			1,105,085
(b) Libraries			77,133
(c) Academic Support (excl. Libr.)			32,441
(d) Student Services			805,927
(e) Institutional Support			259,251
(f) Operation and Maintenance of Physical Plant			312,833
(g) Auxiliary Enterprises			5,896,247
(h) Equipment—Other than Automotive			63,466
(i) Automotive Equipment			12,501
SOURCE OF FUNDS:			
(1) ASETF	1,518,500		
(2) Federal Funds		2,017,349	
(3) Other Sources		<u>5,029,035</u>	
Total Alabama Institute for Deaf and Blind	<u>1,518,500</u>	<u>7,046,384</u>	<u>8,564,884</u>
GRAND TOTAL ALABAMA INSTITUTE FOR DEAF AND BLIND			
	5,215,000	9,313,260	14,528,260

Also each certificated employee shall be allowed two hundred forty-seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan(s) and the carrier(s) of the hospital-medical insurance.

Of the appropriation above three hundred dollars (\$300) per teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, based on this budget, recommend to the President the amount to be allotted to each teacher for the operation of the instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. Of the amount appropriated above for the fiscal year ending September 30, 1979, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand

three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

In addition to the salary now received by support personnel, full-time personnel shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on number of hours worker per day.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

(a) Instruction	1,256,227
(b) Instructional Support	105,072
(c) Administrative Support	442,221
(d) Student Services	144,347
(e) Operation and Maintenance of Physical Plant	362,141
(f) Auxiliary Enterprises	323,122

SOURCE OF FUNDS:

(1) ASETF	1,500,000		
(2) Federal Funds		122,250	
(3) Other Sources		<u>1,010,880</u>	
TOTAL ATHENS STATE COL- LEGE	1,500,000	1,133,130	2,633,130

Section 6. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

1. George C. Wallace Community College at Dothan:

For Operations and Maintenance 125,000

2. Gadsden State Junior College:

For Capital Outlay 125,000

Section 7. Three million one hundred twenty-five thousand dollars (\$3,125,000) is hereby appropriated from the Alabama Special Educational Trust Fund for repair and replacement of, and equipment for, public school buildings which have been destroyed by fire or natural disaster or where there exist critical needs, such amount to be allocated as follows:

Boards of Education	School	Amount
1. Gadsden City	General Forest School	\$275,000
2. Hartselle City	Morgan County Training School	290,000
3. Lamar County	Vernon Vocational School	15,000
4. Winfield City	Winfield Vocational School	100,000
5. Midfield City	Midfield School	200,000
6. Lawrence County	Chalybeate School	240,000
7. Madison County	New Market School	125,000
8. Marshall County	Boaz Middle School	315,000
9. Mobile County	Prichard Middle School	315,000
10. Jefferson County	McAdory High School	300,000
11. Shelby County	Montevallo High School	125,000
12. Cullman County	Baileyton School	100,000
13. Tusculumbia City	Deshler Jr. High School	100,000
14. Birmingham City	Parker High School	100,000
15. Randolph Co.	Folsom Jr. High School	300,000
16. Dale County	Pinkard School	100,000
17. Shelby County	Vincent High School	125,000

Section 8. Other Educational Appropriations:

1. Dothan City Board of Education:	
For Capital Outlay	115,441
2. S. D. Bishop State Junior College:	
For Capital Outlay	84,559
3. George Corley Wallace State Community College (Selma):	
For Operations and Maintenance at the facility formerly Craig AFB	116,300
4. George Corley Wallace State Community College—Technical Branch (Selma):	
For Operations and Maintenance at the facility formerly Craig AFB	324,000
5. Alabama Academy of Honor ..	3,500
6. George C. Wallace Community College at Hanceville	2,500,000

7. Chattahoochee Valley Community College	2,000,000
8. Elba City Schools	450,000
9. Enterprise Junior College	850,000

Section 9.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,882,899 to be expended under the programmatic area as shown under subsection 12 on page 52.

(2) There is hereby transferred from the Special Mental Health Trust Fund \$487,250 to be expended under the programmatic area as shown under subsection 13 on page 52.

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Section 257, 258, and 259 of the Constitution in 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

Section 10. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefore provided, that all appropriations and funds made available to the University of Alabama at Tuscaloosa, University of Alabama in Birmingham, University of Alabama in Huntsville, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 11. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation.

Section 12. The provisions of this Act are severable. If any portion,

paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, which holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 13. This Act shall become effective on October 1, 1978.

Which was adopted.

Yeas 28; Nays 3.

Yeas:

Messrs. Baker Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Proctor, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

—28

Nays: Messrs. Adams, Edwards, McDonald (S).

—3

And said Bill, H. B. 37, as thus amended by the substitute, was read a third time at length and passed.

Yeas 27; Nays 4.

Yeas:

Messrs. Baker Bank, Clemon, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Powell, Proctor, Roberts, Shelby, Stewart, Vacca, Waldrop.

—27

Nays: Messrs. Adams, Edwards, McDonald (S), Perry.

—4

Mr. Owen moved that the Senate reconsider the vote by which the Bill, H. B. 37, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

RECESS

At 11:55 A.M., on motion of Mr. Owen, the Senate took a recess until 12 Noon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

BILLS ON THIRD READING RESUMED

The Bill:

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as _____ Bill No. _____ introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring,

constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded, and to provide for certain notice provisions prior to the selection of sites for correctional institutions and other details of construction.

was taken up.

Mr. Mims offered the following amendment to the Bill, H. B. 9, to-wit:

AMENDMENT TO H. B. 9

Amend H. 9 as follows:

On page 8, after line 13, add a new Section 9 and renumber the remaining sections accordingly:

Section 9. Nothing in this act shall be used to increase the prison population of Bullock, Elmore or Escambia Counties.

Which was adopted.

Yeas 22; Nays 1.

Yeas:

Messrs. Adams, Baker, Fine, Foshee, Gilmore, Goodwin, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Powell, Proctor, Roberts, Shelby, Stewart, Waldrop.

—22

Nay: Mr. Edwards.

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Mr. Adams offered the following substitute for the Bill, H. B. 9, as amended, to-wit:

SUBSTITUTE FOR H. B. 9

A BILL TO BE ENTITLED AN ACT

To authorize, in implementation of the constitutional amendment proposed in the act introduced as House Bill No. 10 introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with

such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. For the purpose of this Act, the following terms shall have the meanings respectively ascribed to them by this section:

(1) "Board" means the Board of Corrections of Alabama created in Title 14, Chapter 1, Code of Alabama 1975, and its successors as the agency of the state for supervising and controlling the operation of the correctional institutions of the state.

(2) "Bonds" means those bonds, other than refunding bonds, issued under the provisions of this Act.

(3) "Commission" means the Bond Commission created in this Act.

(4) "Refunding Bonds" means those refunding bonds issued under the provisions of this Act.

(5) "State" means the State of Alabama.

The definitions hereinabove set forth shall be deemed applicable whether the words defined are used in the singular or plural. Any pronoun used herein shall be deemed to include both the singular and the plural and to cover all genders.

Section 2. Authorization of bonds. In implementation of that certain constitutional amendment proposed in the act introduced as H. Bill No. 10 at the Special Session of the Legislature of Alabama convened on July 31, 1978, there are hereby authorized to be issued not exceeding \$15,000,000 aggregate principal amount of Bonds of the State, which Bonds shall be general obligations of the State for the prompt and faithful payment of the principal of and the interest on which the full faith and credit of the State are hereby irrevocably pledged. The Bonds and the income therefrom shall be exempt from all taxation in the State.

Section 3. Bond Commission. The Governor, the Attorney General, the Director of Finance, and the Chairman of the Board are hereby constituted a Bond Commission with full authority, except as herein specified or limited, to provide the terms and conditions of the Bonds and for the sale and issuance thereof. No member of the Commission shall receive compensation in any form for any services performed by him in and about his duties as a member or officer of the Commission. The Commission shall meet at the call of the Governor, who is hereby designated its chairman. Three members of the Commission shall constitute a quorum for the transaction of business, and all proceedings of the Commission shall be reduced to writing, recorded in a substantially bound book signed by at least three members of the Commission and filed with the Director of Finance, who is hereby designated as the Secretary of the Commission, who shall retain the same.

Section 4. Terms and Conditions of Bonds. Except as hereinafter lim-

ited, the Bonds may be sold, executed and delivered at any time and from time to time, may be in such forms, denominations, series and numbers, may be of such tenor and maturities, may bear such date or dates, may be in registered or bearer form either as to principal or interest or both, may be payable in such installments and at such time or times, may be payable at such place or places within or without the State, may bear interest at such rate or rates payable and evidenced in such manner, may contain provisions for redemption at the option of the Commission on such date or dates prior to their maturity and upon payment of such redemption price or prices, and may contain such other provisions not inconsistent with the provisions of this Act, all as shall be provided by the Commission in the resolution or resolutions whereunder the Bonds are issued. The principal of each series of the Bonds shall mature in annual installments in such amounts as shall be specified in the resolution or resolutions of the Commission under which they are issued, the first of which installments shall mature not later than one year after the date of the bonds of such series and the last of which installments shall mature not later than thirty years after the date of the Bonds of the same series. Those of the Bonds of each series having stated maturities more than ten years after the date thereof shall be made subject to redemption prior to their respective maturities, at the option of the Commission, at the end of the tenth year following their date and semiannually thereafter, as a whole or in part in the inverse order of numbers of the Bonds of that series. Any redemption price required to be paid in order to effect any redemption of any Bond prior to maturity shall not exceed the face value of such Bond plus accrued interest thereon to the date fixed for redemption and a premium equal to one year's interest thereon computed at the stated rate thereof.

Section 5. Sale of Bonds. None of the Bonds shall be sold for less than their face value plus accrued interest thereon to the date of their delivery, and all the Bonds shall be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest total net interest cost to the State computed to the respective maturities of the Bonds sold; provided, that if no bid deemed acceptable by the Commission is received all bids may be rejected. Notice of each bond sale shall be given by the Commission by publication in either a financial journal or financial newspaper published in New York, New York, and also by publication in a newspaper published in the State, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The Commission shall cause such other publicity to be given of each bond sale as it may deem advisable, and it shall fix the terms and conditions under which each sale of Bonds may be held; provided, that such terms and conditions shall not conflict with any of the provisions of this Act. The Commission is authorized to provide terms and conditions under which any of the Bonds may be exchanged for like bonds of other denominations and may be converted from bearer bonds into registered bonds, either as to principal or interest or both as the Commission may prescribe, and again converted into bearer bonds.

Section 6. Refunding Bonds. For the purpose of refunding any of the Bonds, whether the refunding shall occur before, at or after the maturity of the Bonds refunded, and for the purpose of paying all premiums and expenses of such refunding (including attorneys' fees, costs of printing the refunding bonds, fiscal agents' fees, and accountants' fees), the Commission may from time to time sell and issue, at public sale, Refunding Bonds in an aggregate principal amount not exceeding the sum of (a) the outstanding principal amount of the Bonds to be refunded, (b) the interest (accrued or to accrue) to the respective maturities of the Bonds to be refunded, or if the Bonds to be

refunded are to be called for redemption, either on the earliest date on which under their terms they may be redeemed or some later date or dates, the interest (accrued or to accrue) on the Bonds to be refunded to the date or dates on which they are to be called for redemption, (c) the amount of any redemption premium required, by the terms of the Bonds, to be paid as a condition to their redemption prior to their respective maturities, and (d) the amount of any expenses (actual or estimated) of such refunding. No Refunding Bonds shall have a specified maturity date later than thirty years after their date. Pending the application of the proceeds of Refunding Bonds issued in accordance with this Section, the proceeds, together with investment earnings therefrom, and amounts in any sinking fund, together with investment earnings thereon, may be held by the State Treasurer, in trust, or may be deposited by the State Treasurer, in trust, on such terms as the State Treasurer shall approve, with a trustee or escrow agent, which trustee or escrow agent shall be a banking institution or trust company authorized to exercise trust powers in Alabama, for investment in direct and general obligations of, or obligations the payment of the principal of and interest on which are unconditionally and irrevocably guaranteed by, the United States of America. The proceeds in any sinking fund shall be available, as provided by the Commission, for the payment of all or any part of the principal, interest, and redemption premium, if any, of the bonds being refunded and of the refunding bonds, or any of them, as the Commission in its discretion shall prescribe. Proceeds of Refunding Bonds shall be so invested and applied as to assure that the principal, interest, and redemption premium, if any, on the bonds being refunded shall be paid in full on their respective maturity, interest or redemption payment dates. The State Treasurer may contract with respect to the safekeeping and application of proceeds derived from the issuance of Refunding Bonds proceeds and other funds included therewith and the income therefrom including the right to appoint a trustee which may be any trust company or state or national bank having powers of a trust company within or without the State. All other provisions of this Act regarding the terms and conditions of execution and security for the Bonds shall apply to the refunding bonds issued hereunder.

Section 7. Execution of Bonds. The Bonds shall be executed in the name of the State by the Governor and countersigned by the Director of Finance, and the Great Seal of the State shall be affixed thereto and attested by the Secretary of State. A facsimile of the signature of any one or two (but not all) of said officials may be imprinted on any of the Bonds in lieu of being manually inscribed thereon, and in the discretion of the Commission a facsimile of the Great Seal of the State may be engraved, lithographed, imprinted or other wise reproduced on the Bonds in lieu of said seal being manually affixed thereto. The coupons evidencing any installment of interest on the Bonds shall be executed with a facsimile of the signature of the Governor. Each such facsimile signature shall be valid in all respects as if the officials whose facsimile signatures are so used had signed the Bonds in person, and any facsimile of the Great Seal of the State had been manually affixed to the Bonds. In the event any official who shall sign the Bonds or whose facsimile signature shall appear thereon or on the coupons applicable thereto shall thereafter cease to hold office before the Bonds or the coupons are delivered and paid for, the Bonds and the coupons shall nevertheless be valid for all purposes to the same extent as if the official who signed the Bonds or whose facsimile signature appears thereon or on the coupons had remained in office until all of the Bonds and coupons bearing such signature or facsimile thereof shall have been delivered and paid for.

Section 8. Use of Bond Proceeds. The proceeds derived from the sale of

the Bonds shall be placed into the State Treasury and after payment therefrom on order of the Commission of the expenses incidental to the authorization, preparation and issuance of the Bonds, the balance remaining shall be disbursed on order of the Board for projects approved by the Commission, which projects shall be solely for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities. None of the proceeds derived from the sale of the Bonds may be used to pay rents for the use of real or personal property or to make payments under any lease with option to purchase or any similar contractual arrangement.

Section 9. Details of Construction. Each building constructed wholly or in part with any portion of the proceeds of the Bonds shall be constructed pursuant to plans and specifications approved by the Technical Staff of the Building Commission, or any agency that may be designated by the Legislature as its successor, and the costs of architectural and supervisory services shall be construed to constitute construction costs.

Section 10. Severability. If any part or provision of this Act shall be held to be invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision hereof.

Section 11. Effective Date. This Act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing the issuance of the Bonds.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Goodwin, Jones, King, Little, McDonald (A), McMillan, Noonan, Pearson, Peden, Perry, Powell, Proctor, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop.

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Nays:

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Mr. Mims then offered the following amendment to the Bill, H. B. 9, as amended by the substitute, to-wit:

AMENDMENT TO H. B. 9

Amend House Bill No. 9 as amended Page 2 Line 10, by inserting

Nothing in this act shall be used to increase the prison population of Elmore or Escambia Counties.

and on Page 8 after line 21 add a new Section 10 and renumber the remaining sections accordingly.

Section 10. Nothing in this act shall be used to increase the prison population of Elmore or Escambia Counties.

Which was adopted.

Yeas 22; Nays 2.

Yeas:

Messrs: Adams, Baker, Bank, Fine, Gilmore, Goodwin, Higginbotham, Jones, Little, McDonald (A), McMillan, Mims, Mitchell, Owen, Peden, Perry, Powell, Shelby, Stewart, Teague, Vacca, Waldrop.

—22

Nays: Messrs. Edwards, Pearson.

—2

And said Bill, H. B. 9, as thus amended by the substitute, was read a third time at length and passed.

Yeas 28; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Higginbotham, Jones, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Wilson.

—28

Nay: Mr. McDonald (S).

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RESOLUTIONS

Mr. Gilmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 33. STATING THE ALABAMA LEGISLATURE'S APPROVAL AND FULL SUPPORT OF THE ALABAMA SUNBELT CONFERENCE.

WHEREAS, continuing and concerted efforts on the part of congressional delegations from the northeast and midwest regions of the United States, if successful, will bring about the adoption of legislation that will discriminate against the economies of other of our nation's regions in the allocation of federal funds; and

WHEREAS, to counter this drive by northeast-midwest coalitions, the National Economic Research Institute was organized to analyze and study legislation in all areas vital to Alabama's economy and that of all sunbelt states; and

WHEREAS, the establishment of the Alabama Sunbelt Conference, to work in cooperation with the National Economic Research Institute and other coalitions of interested southern and western states, will create a broad based organization in Alabama to aid our Congressional Delegation in their actions to protect the economy of our state and region at the federal level; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do fully approve and strongly

support the establishment of the Alabama Sunbelt Conference and its efforts to assist in the compilation of information, and dissemination of same to state and private agencies, to ensure fair and equitable treatment of our state and of all regions of the nation by the Congress and federal administration in the allocation of federal funds.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented at the upcoming Alabama Sunbelt Conference, August 31, 1978, at the Montgomery Civic Center in Montgomery, Alabama, with copies provided also for all members of the Alabama Congressional Delegation in Washington, D.C.

On motion of Mr. Gilmore, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Ellis, Fine, King, Stewart and Peden offered the following Senate Resolution, to-wit:

S. R. 34. EXPRESSING INTENT OF THE LEGISLATURE AS TO CERTAIN SALARY INCREASES GRANTED TO CERTAIN SCHOOL EMPLOYEES AND CERTAIN EMPLOYEES OF CITY AND COUNTY BOARDS OF EDUCATION BY ACT NO. 637, H. 482, 1977 REGULAR SESSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the salary increases provided to certain school employees and certain employees of county and city boards of education by section 3. A. 16 (ii) of Act No. 637, H. 482, 1977 Regular Session (Acts of Alabama 1977, p. 1040) were intended by this legislative body to be a continuing increase, which is supplemental to any salaries otherwise negotiated by such employees.

On motion of Mr. Ellis, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 10. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 10, to-wit:

COMMITTEE SUBSTITUTE FOR H. 10

A BILL TO BE ENTITLED AN ACT

To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, and equipment of a maximum security state prison (including site therefor).

Be It Enacted by the Legislature of Alabama:

Section 1. Proposed Constitutional Amendment. The following amendment to the Constitution of Alabama of 1901 is hereby proposed:

PROPOSED AMENDMENT

The State of Alabama is authorized to become indebted and to sell and issue interest bearing bonds, in addition to all other bonds of the state, in an aggregate principal amount not exceeding \$15,000,000, the proceeds derived from the sale of said bonds to be used solely for the purpose of paying the expenses incurred in the sale and issuance thereof and for the acquisition, construction, and equipment of a maximum security state prison, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prison. None of the proceeds derived from the sale of said bonds may be used to pay rents for the use of real or personal property or to make payments under any lease with option to purchase or similar contractual arrangement. The State of Alabama is also authorized to become indebted and to sell and issue bonds to refund any of the bonds herein authorized, in the amounts (which may exceed the principal amount of the bonds being refunded) and manner as may be specified by the Legislature. The bonds shall be sold only at a duly advertised public sale or sales, upon sealed bids or at auction, to the bidder whose bid reflects the lowest total net interest cost to the State for the bonds offered for sale and shall be sold at not less than their face value plus accrued interest thereon. The bonds shall be direct general obligations of the State, and for the prompt and faithful payment of the principal thereof and the interest thereon the full faith and credit of the State are hereby irrevocably pledged. The bonds issued under this amendment and the income therefrom shall be exempt from all taxation in the State. The legislature shall enact appropriate enabling legislation to carry out the intent and purpose of this amendment.

Section 2. Election Ordered; Date of Election. An election upon the proposed amendment is ordered to be held on Tuesday, November 7, 1978, the day of the general election in the year 1978. The election shall be held in accordance with the provisions of Section 284, as amended, and Section 285 of the Constitution of Alabama of 1901, and Title 17, Chapter 17, Code of Alabama 1975.

Section 3. Notice of Election. Notice of the election on the proposed amendment shall be given by proclamation of the Governor, published in a newspaper in each county in the state once a week for four successive weeks next preceding the day appointed in Section 2 for the election, and in any county in which there may be no newspaper published, the notice shall be posted at each courthouse therein.

On motion of Mr. Mitchell, said substitute was laid on the table.

Mr. Adams offered the following substitute for the Bill, H. B. 10, to-wit:

SUBSTITUTE FOR H. B. 10

A BILL TO BE ENTITLED AN ACT

To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obliga-

tion bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

Be It Enacted by the Legislature of Alabama:

Section 1. Proposed Constitutional Amendment. The following amendment to the Constitution of Alabama of 1901 is hereby proposed:

"The State of Alabama is authorized to become indebted and to sell and issue interest bearing bonds, in addition to all other bonds of the state, in an aggregate principal amount not exceeding \$15,000,000, the proceeds derived from the sale of said bonds to be used solely for the purpose of paying the expenses incurred in the sale and issuance thereof and for the acquisition, construction, equipment, and improvement of state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities. None of the proceeds derived from the sale of said bonds may be used to pay rents for the use of real or personal property or to make payments under any lease with option to purchase or similar contractual arrangement. The State of Alabama is also authorized to become indebted and to sell and issue bonds to refund any of the bonds herein authorized, in the amounts (which may exceed the principal amount of the bonds being refunded) and manner as may be specified by the Legislature. The bonds shall be sold only at a duly advertised public sale or sales, upon sealed bids or at auction, to the bidder whose bid reflects the lowest total net interest cost to the State for the bonds offered for sale and shall be sold at not less than their face value plus accrued interest thereon. The bonds shall be direct general obligations of the State, and for the prompt and faithful payment of the principal thereof and the interest thereon the full faith and credit of the State are hereby irrevocably pledged. The bonds issued under this amendment and the income therefrom shall be exempt from all taxation in the state. The legislature shall enact appropriate enabling legislation to carry out the intent and purpose of this amendment."

Section 2. Election Ordered; Date of Election. An election upon the proposed amendment is ordered to be held on Tuesday, November 7, 1978, the day of the general election in the year 1978, the day of the general election in the year 1978. The election shall be held in accordance with the provisions of Section 284, as amended, and Section 285 of the Constitution of Alabama of 1901, and Title 17, Chapter 17, Code of Alabama 1975.

Section 3. Notice of Election. Notice of the election on the proposed amendment shall be given by proclamation of the Governor, published in a newspaper in each county in the state once a week for four successive weeks next preceding the day appointed in Section 2 for the election, and in any county in which there may be no newspaper published, the notice shall be posted at each courthouse therein.

Which was adopted.

Yeas 27; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Goodwin, Higginbotham, Jones, Little, McDonald (A), McMillan, Mitchell, Noonan, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, Teague, Vacca, Waldrop, Wilson.

Nay: Mr. McDonald (S).

—1

And said Bill, H. B. 10, as thus amended by the substitute, was read a third time at length as required by the Constitution and passed.

Yeas 29; Nays 1.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Powell, Proctor, Roberts, St. John, Teague, Vacca, Waldrop, Wilson.

—29

Nay: Mr. McDonald (S).

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RESOLUTION

Mr. Peden offered the following Senate Resolution, to-wit:

S. R. 35. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO S. B. 1.

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court or a majority of them, to give this body their written opinions on the following important constitutional questions which have arisen concerning the pending bill, S. B. 1, a copy of which is attached to this resolution and made a part hereof by reference:

1. Does Section 61 of the Constitution of Alabama 1901 prohibit the substituting of a bill which originally provided for an appropriation from state funds with a bill that provides for a revenue bond issue?

2. Does Section 63 of the Constitution of Alabama 1901 prohibit the substituting of a bill which originally provided for an appropriation from state funds with a bill that provides for a revenue bond issue unless the substitute bill is read on three different days in each House?

RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send five true copies of the pending bill, S. B. 1, to the Clerk of the Supreme Court of Alabama, and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this resolution.

On motion of Mr. Peden, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 50. To conditionally appropriate the sum of five million dollars to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwin, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 50, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. 50

A BILL
TO BE ENTITLED
AN ACT

To make a conditional appropriation from the general fund of the State Treasury, to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of five million dollars (\$5,000,000), or so much thereof as may become available as herein provided, is hereby conditionally appropriated from the general fund of the State Treasury, for the fiscal year beginning October 1, 1978, to the use of the Department of Pensions and Security. The appropriation herein made is conditional upon the condition of the general fund of the State Treasury, as ascertained by the Governor, and shall be released only upon orders of the Governor.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, except as otherwise herein provided, or upon its otherwise becoming a law.

Yeas 31; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Stewart, Teague, Vacca, Waldrop, Wilson.

—31

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 41. To revise existing bail practices in the courts within the Fifteenth Judicial Circuit; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jones, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 41, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO SENATE BILL 41

Amend Senate Bill 41 on page 7, Article II, Section 1, by striking the words: "and presiding Municipal Court Judge of the city of Montgomery" Wherever appearing and inserting in lieu thereof the following: "and the District Attorney of the 15th Judicial Circuit"

Further amend on page 7, Article II, Section 1, line 23 by adding the following: "The Commission or its members shall be defended in any litigation brought against them while acting in their official capacity, shall be defended by the District Attorney of the 15th Judicial Circuit. Any city, county, state or federal government or its agencies may appropriate, grant or disperse funds to the Commission."

HOUSE AMENDMENT TO SENATE BILL 41

Amend Senate Bill 41, substitute on page 8, line 6, to read; "(1) Is nineteen years of age."

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, Little, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Peden, Perloff, Powell, Roberts, St. John, Shelby, Teague, Vacca.

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 1. Relating to the City of Gadsden, providing for the fixing and payment of salaries of members of the board of commissioners.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, McDonald (S), Mims, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Waldrop.

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Nays:

—0

The Bill:

H. 24. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—31

Nays:

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The Bill:

H. 23. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the additional bonds to counties, municipalities, and municipal and county industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell its bonds for the purpose of making these grants; to provide that the bonds and the income therefrom shall be exempt from taxation, that the bonds may be used to secure deposits of funds of the State and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the State; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds; to make appropriations and pledges of funds from the taxes levied by sections 40-25-2 and 40-25-41, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that all principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McMillan, Mims,

Mitchell, Noonan, Peden, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—29

Nays:

0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Owen, the Senate non-concurred in the following House amendment to the Bill, S. B. 56, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR SENATE BILL 56

A BILL TO BE ENTITLED AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1979 and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 8, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Outlay" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment-Other than Automotive" shall mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment" shall mean those items of motor vehicle equipment only and the money appropriated therefore shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1979 and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 4, Chapter 4, Title 41 of the Code of Alabama 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Federal and Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 3.

A. STATE AGENCIES

1. Council on the Arts and Humanities

(a) Fine Arts Program			914,098
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Source of Funds:

(1) ASETF	300,000		
(2) Federal and Local Funds		<u>614,098</u>	

Total Council on the Arts and Humanities	300,000	614,098	914,098
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2. Debt Service			871,044
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(a) For the payment of principal and interest due on bonds issued by the University of Alabama Research-Institute pursuant to Constitutional Amendment No. CLVII 211,300

(b) Interest on Endowments:

For interest on University of Montevallo (Alabama College) Endowment, Estimated . 45,000

For interest on Auburn University Endowment 20,280

For interest on University of
Alabama Endowment ... 61,000

For interest on Grove Hill
Endowment 600

For interest on Public School Fund
Endowment:

Interest on 16th Section lands,
Estimated 410,000

Interest on School Indemnity lands,
Estimated 90,000

Interest on Valueless 16th Section
lands 5,825

Interest on Surplus plus
Revenue 26,764

Interest on James Wallace
Fund 275

Total 659,744

SOURCE OF FUNDS:

(1) ASETF 871,044

Total Debt Service 871,044 871,044

3. Board of Dental Scholarship
Awards

(a) Support of Other Educational
Activities Program 228,000

SOURCE OF FUNDS:

(1) ASETF 228,000

Total Board of Dental Scholarship
Awards 228,000 228,000

(To be expended under the
provisions of Act No. 662, 1977
Regular Session.)

4. Department of Education

(a) Financial Assistance Program 227,074,395

The proposed spending plan for the
above is as follows:

Vocational Education and Other
Financial Assistance
Programs 48,503,717

(\$300,000 is to be used for
Agribusiness Center)

SOURCE OF FUNDS:

(1) ASETF 48,503,717

(2) Federal and Local Funds 178,570,678

Total Financial Assistance

Program	48,503,717	178,570,678	227,074,395
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The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon recommendation of the State Superintendent.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula. Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institution for contractual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1979, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

(b) Instructional Technical Assistance Program	7,231,665
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The proposed spending plan for the above is as follows:

Civil Defense	24,200
Drug Education	181,500
Operation & Maintenance of Department	331,681
Right-to-Read	85,000
Career Education	110,000
Kindergarten Adm.	85,000
Minimum Program—Trainable Retarded Children	524,307
National Defense	399,300
Vocational Education ..	1,466,673
Alabama Learning Resource Center	60,000

SOURCE OF FUNDS:

(1) ASETF	3,267,661		
(2) Federal & Local Funds		<u>3,964,004</u>	
Total Instructional Technical Assistance Program	3,267,661	3,964,004	7,231,665

(The appropriation for minimum Program—Trainable Retarded Children is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)

(c) Local Agency Support Program	11,182,190
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The proposed spending plan for the above is as follows:

Coordination of In-School Television	127,201
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Driver Education, School Bus Driver Training and Vehicle Safety Inspection	371,289
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Operation & Maintenance of Department	337,490
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Testing	425,000
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Developing, Printing and Publishing Legal & Policy Manuals	5,000
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Free Textbooks	8,602,500
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Plans & Surveys	90,150
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Facilities Survey	300,000
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SOURCE OF FUNDS:

(1) ASETF	10,258,630		
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(2) Federal and Local Funds		923,560	
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Total Local Agency Support Program	10,258,630	923,560	11,182,190
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(d) Regulation Program			879,432
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The proposed spending plan for the above is as follows:

Operation & Maintenance of Department	349,199
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Teacher Certification & Accreditation	237,000
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SOURCE OF FUNDS:

(1) ASETF	586,199		
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(2) Federal and Local Funds		293,233	
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Total Regulation Program	586,199	293,233	879,432
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(e) Administrative Services Program			8,478,141
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The proposed spending plan for the above is as follows:

Compact for Education 20,750
 Operation & Maintenance of De-
 partment 1,600,043
 Telephone Revolving
 Fund 1,200,000

SOURCE OF FUNDS:

(1) ASETF	2,820,793		
(2) Federal and Local Funds		<u>5,657,348</u>	
Total Administrative Services Pro- gram	2,820,793	5,657,348	8,478,141
(f) Adult Basic Education Pro- gram			5,660,599

The proposed spending plan for the
 above is as follows:

Adult Basic Education . 1,700,000
 Community Education . . 100,000
 Operation & Maintenance of De-
 partment 15,052

SOURCE OF FUNDS:

(1) ASETF	1,815,052		
(2) Federal and Local Funds		<u>3,845,547</u>	
Total Adult Basic Education Pro- gram	1,815,052	3,845,547	5,660,599
(g) Continuing Education Pro- gram			777,323

The proposed spending plan for the
 above is as follows:

Operations & Maintenance of De-
 partment 20,862
 Administration of Private School
 Act 49,500

SOURCE OF FUNDS:

(1) ASETF	70,362		
(2) Federal and Local Funds		<u>706,961</u>	
Total Continuing Education Pro- gram	70,362	706,961	777,323
(h) Administration of Post- Secondary Vocational-Technical Education Program			9,243

The proposed spending plan for the
 above is as follows:

Operations & Maintenance of
 Dept. 9,243

SOURCE OF FUNDS:

(1) ASETF	<u>9,243</u>	
Total Admin. of Post-Secondary Vocational-Technical Education Program	9,243	9,243
(i) Administration of Junior College School System Program ..		9,243
The proposed spending plan for the above is as follows:		

Operations & Maintenance of Department 9,243

SOURCE OF FUNDS:

(1) ASETF	<u>9,243</u>	
Total Adm. of Junior College School System Program	9,243	9,243
(j) Rehabilitation Services Program		32,839,711

SOURCE OF FUNDS:

(1) ASETF	7,097,000	
(2) Federal and Local Funds	<u>25,742,711</u>	
Total Rehabilitation Services Program	7,097,000	25,742,711
		32,839,711

(Of the above appropriation the sum of \$200,000 is to be spent for services for handicapped individuals for recreation at accredited year-round camping facility to be contracted through the Division of Vocational Rehabilitation Services of the Dept. of Education.)

(k) Hemophilia Program		300,000
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SOURCE OF FUNDS:

(1) ASETF	<u>300,000</u>	
Total Hemophilia Program	300,000	300,000

(As provided for under Act 1181, 1975 Regular Session.)

(l) Homebound Program		2,900,000
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SOURCE OF FUNDS:

(1) ASETF	<u>2,900,000</u>	
Total Homebound Program	2,900,000	2,900,000

(The above appropriation is to be

expended in accordance with Act No. 109, Third Special, 1975, approved May 1, 1975.)

(m) Disability Determination for Social Security Program			7,549,812
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SOURCE OF FUNDS:

(1) Federal and Local Funds	7,549,812		
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Total Disability Determination for Social Security Program	7,549,812		7,549,812
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(n) Crippled Children Services Program			7,066,190
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SOURCE OF FUNDS:

(1) ASETF	4,303,690		
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(2) Federal and Local Funds	2,762,500		
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Total Crippled Children Services Program	4,303,690	2,762,500	7,066,190
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\$324,000 of the ASETF appropriation to be used for educational services for children with cerebral palsy through the various cerebral palsy day care and treatment centers.

(o) Manpower Development and Employment			5,894,844
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The proposed spending plan for the above is as follows:

Operation & Maintenance of Department	17,958
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Comprehensive Employment & Training	484,000
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SOURCE OF FUNDS:

(1) ASETF	501,958		
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(2) Federal and Local Funds	5,392,886		
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Total Manpower Development and Employment Opportunities Program	501,958	5,392,886	5,894,844
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(p) Planning and Coordination Services Program			181,826
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The proposed spending plan for the above is as follows:

Southern Regional Educational Board	181,826
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SOURCE OF FUNDS:

(1) ASETF	181,826
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Total Planning & Coordination Services Program	181,826	181,826
(q) Support of State Universities Program		10,000

The proposed spending plan for the
above is as follows:

Education of Dependents of Blind
Parents 10,000

SOURCE OF FUNDS:

(1) ASETF 10,000

Total Support of State Universities Program	10,000	10,000
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For reimbursement of every State
Institution of Higher Learning,
College, University, or Trade
School or Junior College, in
which benefits are given to de-
pendents of blind parents under
the provisions of Act No. 281,
1966 Special Session.

(r) Emergency Medical Services Education Program		1,500,000
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To be distributed by the Depart-
ment of Education as follows:

(1) West Alabama Emergency Medical Services, Inc.	307,000
(2) Birmingham Regional Emer- gency Medical Services System	292,000
(3) North Alabama Emergency Medical Services, Inc.	277,000
(4) Southeast Alabama Emer- gency Medical Services Systems. Inc.	277,000
(5) East Alabama Emergency Medical Services, Inc.	227,000
(6) Southwest Alabama Emer- gency Medical Services Council, Inc.	120,000

The amounts herein appropriated
shall be used for the operation
and maintenance of the various
medical services programs
named and for the purchase of
instructional supplies and new
instructional equipment for such
programs.

SOURCE OF FUNDS:

(1) ASETF	<u>1,500,000</u>		
Total Emergency Medical Service Education Program	1,500,000		1,500,000
TOTAL DEPARTMENT OF EDUCATION			
SOURCE OF FUNDS:			
(1) ASETF	84,135,374		
(2) Federal and Local Funds		<u>235,409,240</u>	
Grand Total Department of Education	84,135,374	235,409,240	319,544,614
5. Examiners of Public Accounts			
(a) Legislative Support-Audit Services Program			1,000,000
For purposes of auditing all phases of public education.			
SOURCE OF FUNDS:			
(1) ASETF	<u>1,000,000</u>		
Total Examiners of Public Accounts	1,000,000		1,000,000
6. Alabama Film Commission			
(a) Promotional Development Program			70,000
SOURCE OF FUNDS:			
(1) ASETF	<u>70,000</u>		
Total Alabama Film Commission .	70,000		70,000
7. Alabama School of Fine Arts			
(a) Fine Arts Program			891,855
SOURCE OF FUNDS:			
(1) ASETF	800,000		
(2) Federal and Local Funds		<u>91,855</u>	
Total Alabama School of Fine Arts	800,000	91,855	891,855
8. Alabama Firefighters' Personnel Standards and Education Commission			
(a) Professional and Occupational Licensing & Regulation Program			150,000
SOURCE OF FUNDS:			
(1) ASETF	<u>150,000</u>		

Total Alabama Firefighters' Personnel Standards and Education Commission	150,000	150,000
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9. Health Department

(a) Health Support Services Program		500,000
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For immunization of pre-school children and students and for public school food sanitation.

(b) For the Division of Maternal and Child Health		200,000
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Provided, however, that the above appropriation shall be expended only for the development of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting Federal matching requirements.

SOURCE OF FUNDS:

(a) ASETF	<u>700,000</u>	
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Total Health Department	700,000	700,000
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10. Commission on Higher Education

(a) Planning & Coordination Services Program		462,430
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(b) Support of Other Educational Activities Program		2,538,800
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SOURCE OF FUNDS:

(1) ASETF	1,725,400	
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(2) Federal and Local Funds		<u>1,275,830</u>
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Total Commission on Higher Education	1,725,400	1,275,830	3,001,230
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No salary of any employee of the Commission shall exceed the salary paid to the State Superintendent of Education.

To be expended in accordance with Act No. 14, 1969 Special Session.

11. Alabama Board of Nursing:

(a) Professional and Occupational Licensing and Regulation Program		542,891
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SOURCE OF FUNDS:

(1) ASETF as provided in Act No. 68, 1977 Special Session. Scholarships for Graduate Nurses ...	57,000		
(2) Alabama Board of Nursing Trust Fund as provided in Title 34, Chapter 21, Code of Alabama 1975, as amended		<u>485,891</u>	
Total Alabama Board of Nursing .	57,000	485,891	542,891
12. Alabama Historical Commission			
(a) Historical Resource Management Program			100,000

SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>		
Total Alabama Historical Commission	100,000		100,000
13. Alabama Industrial Development Training Institute			
(a) Industrial Training Program .			1,885,752

SOURCE OF FUNDS:

(1) ASETF	<u>1,885,752</u>		
Total Alabama Industrial development Training Inst.	1,885,752		1,885,752
14. Junior College School System			
(a) Academic Instruction and Institutional Support Program ...			67,848,063

SOURCE OF FUNDS:

(1) ASETF	39,550,000		
(2) Federal and Local Funds		9,050,476	
(3) State Funds		245,787	
(4) Other Funds		<u>19,001,800</u>	
Total Junior College School System	39,550,000	28,298,063	67,848,063

For operation and maintenance of the Junior Colleges listed below to be distributed on formula adopted by the State Board of Education. \$200,000.00 to each junior college listed below. The remainder of the appropriation is to be allotted to each such junior college in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1977-78 by all such junior colleges. Continuing education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee

Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.) Of the above appropriations contained herein in Section 3, paragraph A-14 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the State junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978.

15. Alabama Law Institute

(a) Support of Other Educational Activities Program	199,000
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SOURCE OF FUNDS:

(1) ASETF	199,000	
Total Alabama Law Institute	199,000	199,000

16. Legislature

(a) Legislative Operations & Support Program	1,000,000
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SOURCE OF FUNDS:

(1) ASETF	1,000,000	
Total Legislature	1,000,000	1,000,000

17. Public Library Service

(a) Public Library Services Program	3,782,066
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SOURCE OF FUNDS:

(1) ASETF	2,313,000	
(2) ASETF for equipment purchases for physically handicapped and blind	47,000	
(3) ASETF for operation of facility	390,000	
(4) Federal and Local Funds	1,032,066	
Total Public Library Services	2,750,000	1,032,066
		3,782,066

18. Marine Environmental Sciences Consortium

(a) Support of other Educational Activities Program	778,750
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SOURCE OF FUNDS:

(1) ASETF	568,750		
(2) Federal and Local Funds		60,000	
(3) University of Alabama		<u>150,000</u>	
Total Marine Environmental Sciences Consortium	568,750	210,000	778,750
19. Medical Scholarships Board			
(a) Support of other Educational Activities Program			555,000

SOURCE OF FUNDS:

(1) ASETF	<u>555,000</u>		
Total Medical Scholarship Board .	555,000		555,000
(To be expended under the provisions of Act No. 663, 1977 Regular Session.)			

20. Minimum Program

(a) Financial Assistance Program			581,236,819
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SOURCE OF FUNDS:

(1) ASETF	556,560,334		
(2) Public School Fund		20,000,000	
(3) Local Effort		<u>4,676,485</u>	
Total Minimum Program Fund . . .	556,560,334	24,676,485	581,236,819
(aa) To be distributed by the State Board of Education for:			
Local Boards	484,910,244		
Board of Adjustment Awards	150,000		
Teachers Sick Leave	3,890,178		
Teachers Personal Leave	1,296,726		
Hospital—Medical Insurance Assistance	9,427,961		
Funds to Replace Fees	10,488,225		
Maintenance	6,000,000		
Sick Leave for Support Personnel	800,000		
Additional for Special Education .	25,550,000		
Salary Increases for Lunchroom Workers	7,747,000		
Insurance for Support Staff	6,300,000		

The Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such funds, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided

further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(bb) Of the total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-systems, and/or state-wide programs for exceptional children. In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1977-78, six hundred fifty (650) are provided for the reduction of the class size in grades 1-6. The Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1977-78 school year. In addition to the three thousand two hundred fifty (3,250) special units now provided through the minimum program, there is hereby provided the sum of 25 million, five hundred and fifty thousand dollars (\$25,550,000) to be used in the area of special education. The funds to provide for this program are included under the programmatic appropriations of Section 20 (aa) Minimum Program and the wording in this section (bb) is for explanation purposes only and is not intended to be construed to be a second funding. Of the \$25,550,000 for Special Education, \$1,422,846 shall be allocated to local boards of education and administered through the Division of Vocational Education for meeting matching requirements of Federal Legislation (P.L. 94-482) for vocational education for the handicapped. An amount approved by the State Board of Education and State Superintendent of Education may be distributed by the State Board of Education to the Alabama Institute for Deaf and Blind to implement the purposes of Act 106 and P.L. 94-142. The remaining funds of this category shall be allocated by the State Board of Education on a formula developed by the State Superintendent of Education and his staff. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must be approved by the State Superintendent of Education before such funds are disbursed. The proposals may include, but are not limited to, any or all of the following: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be determined by the State Superintendent of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Superintendent, through his staff, shall monitor programs to assure that the purposes for which these funds are provided are carried out on the approved plan.

In addition to the above appropriation to exceptional children there is hereby appropriated \$5,000,000 which is conditional upon the condition of the Alabama Special Educational Trust Fund and upon approval of the Governor.

Three hundred eighty (380) additional kindergarten units are herewith provided for the phasing in of the kindergarten program during the specified fiscal year and shall be dispersed with the kindergarten teacher units being at least equal to the amount received by the respective local school boards during the preceeding fiscal year. In addition thereto, all local school boards shall receive all kindergarten teacher units now supplied by federal funds if these programs continue to be federally funded.

(cc) Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is herein above appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. From the funds provided herein above, each local county and city board of education shall allocate to the schools in their respective systems an amount based on \$250 or \$300 for each teacher unit assigned to each school.

With each faculty member being given an opportunity for input, the faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, by majority vote, approve a budget for the school. At least one-half of this amount shall be available for each teacher for materials and supplies for that teacher's students; provided, however, any teacher may sign a waiver releasing said funds for joint purchases within the school. No board of education shall withhold from any school any funds to which they are entitled under the provisions of this Act. Based on this budget, the faculty shall recommend to the superintendent the recommended amount to be allotted to each teacher to be spent for agreed upon items and other amounts to be used for the common good of all for the operation of the instructional program within the school. The local school board shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In courses not required for graduation, local schools boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided, however, such fees shall be waived for students who cannot afford to pay the fees. Any funds collected in fees shall be spent on the course for which the fee was levied. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) It is provided that in addition to all units earned by the local school system under the Minimum program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expended from local funds for teachers during the school year 1977-78 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios or that where there has been a decrease in school population to justify such reduction. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to the State Board of Education the implementation of the above provisions by December 31, 1978 and to the Legislature by the first legislative day of the next regular session.

(ee) The appropriation hereinabove made to the Minimum Program Fund provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) to be granted upon request of the teacher and administered by the State Board of education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1979.

(ff) Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance. No portion of the funds herein appropriated for employee hospital-medical insurance may be used to pay premiums for any group insurance policy that is available only to members of any private organization.

Provided, further, that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation #56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified professional employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

In no event shall a professional staff member be eligible for more than one hospital-medical insurance assistance allotment.

(gg) Of the appropriation hereinabove made to the Minimum Program there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per full-time support person (defined in sub-section ii) employed by any local board of education or by any school under the local board's jurisdiction to provide hospital-medical insurance assistance, provided however that only adult school bus drivers are included and coverage is not included for student school bus drivers.

Provided, further, that any employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation #56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The support personnel shall participate in the same carrier and plan selection process as the teachers within the school system; except that in no instance shall a local school board be required to approve a separate carrier and plan for support employees in addition to the carrier and plan selected by majority vote of all employees of that school board. Any funds not used in the fiscal year shall revert to the Alabama Special Education Trust Fund.

In no event shall a support staff member be eligible for more than one hospital-medical insurance assistance allotment.

(hh) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For Other Current Expenses" a sum not to exceed \$2,204.75 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in sub-section (a) Local Boards shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$38,066,490.00.

The appropriation hereinabove set out for the fiscal year 1978-79 is based on 31,736 teacher units.

It is provided in the event there are more than 31,736 earned teacher units for the fiscal year 1978-79, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided, in the event that there be less earned teacher units

than those set out above, then the amount that would have been necessary to pay for these earned teacher units shall be allotted by the State Board of Education on a formula developed by the State Superintendent of Education and his staff for teacher units to continue the phasing-in of the State kindergarten program. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

(ii) It is provided that from the appropriation hereinabove made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum. These increases are for teachers with one hundred eighty-day contracts. Additional pro rata salary increases shall be granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificates. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

In addition to all salary now received and all local increments due for the 1978-79 school year, all full-time employees of city and county boards of education and all full-time employees in the school under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on the number of hours worked per day. All adult school bus drivers shall receive a salary increase of not less than five hundred dollars (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars (\$300) per annum and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

Each local board of education shall have the following options as to how the salary increases shall be distributed:

- 1) Across the currently used pay periods for the school year or
- 2) Across the summer months payable in equal installments.

(jj) The \$800,000 appropriated in Section 20 (aa) is to provide sick leave for support personnel in accordance with Act No. 208, 1977 Regular Session of the Alabama Legislature.

21. Alabama Occupational Information System

(a) Employment and Social Opportunities Program	590,051
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SOURCE OF FUNDS:

(1) ASETF	200,000		
(2) Federal and Local Funds		<u>390,051</u>	
Total Alabama Occupational Information System	200,000	390,051	590,051

22. Alabama Peace Officers Standards and Training Commission

(a) Professional and Occupational Licensing and Regulation Program	80,000
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(b) Certified Law Enforcement Academy Programs	246,200
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Jacksonville State University	61,550
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University of Alabama ...	61,550
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James H. Faulkner Jr. Col.	61,550
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Troy State Univ. Montgomery	61,550
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SOURCE OF FUNDS:

(1) ASETF	<u>326,200</u>	
Total Alabama Peace Officers Standards and Training Commission	326,200	326,200

23. Commission on Physical Fitness

(a) Advisory Services Program ...	83,000
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SOURCE OF FUNDS:

(1) ASETF	<u>83,000</u>	
Total Commission on Physical Fitness	83,000	83,000

24. Post-Secondary Vocational-Technical Education System

(a) Instructional Support Program	45,972,443
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SOURCE OF FUNDS:

(1) ASETF	32,451,521		
(2) Federal and Local Funds		815,457	
(3) Other Funds		<u>12,705,465</u>	
Total Post-Secondary Vocational-Technical Education System ...	32,451,521	13,520,922	45,972,443

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education. (The above appropriation is to be distributed to the following Vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College- Technical Division (7); Carver State Technical Institute School; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical School; (12) Theodore A. Lawson State Community College-Technical Division (13) Douglas MacArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnelley State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker County State Technical College; (26) George Corley Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville).

Of the above appropriations contained herein in Section 3 (a) (24) not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978.

25. Social Security

(a) For State's share of Social Security, Estimated	47,249,440
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SOURCE OF FUNDS:

(1) ASETF	47,249,440	
Total Social Security	47,249,440	47,249,440

26. Sports Hall of Fame

(a) Historical Resources Management Program	51,894
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SOURCE OF FUNDS:

(1) ASETF	30,000		
(2) Sports Hall of Fame Operating Fund		21,894	
Total Sports Hall of Fame	30,000	21,894	51,894

27. Alabama Education Study Commission

(a) Advisory Services Program ...	210,000
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SOURCE OF FUNDS:

(1) ASETF 210,000

Total Alabama Education Study Commission	210,000	210,000
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(To be used for educational studies in accordance with Act No. 15, 1969 Special Session)

28. Teachers' Retirement System of Alabama

(a) Retirement Systems Program, Estimated		142,396,640
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SOURCE OF FUNDS:

(1) ASETF—Teachers' Retirement System 140,297,462

(2) ASETF—Teachers' Special Pension Fund 2,099,178

Total Retirement Systems Program (State's Share)	142,396,640	142,396,640
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The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund. Provided that any increase in the above appropriations shall be made only after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

29. State Tenure Commission

(a) Regulation Program		10,000
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SOURCE OF FUNDS:

(1) ASETF 10,000

Total State Tenure Commission ..	10,000	10,000
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30. Educational TV Commission

(a) Educational TV Services Program		2,885,500
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(b) Public Radio Service Program		195,000
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SOURCE OF FUNDS:

(1) ASETF 2,205,500

(2) Federal and Local Funds 875,000

Total Educational TV Commission	2,205,500	875,000	3,080,500
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31. Veterans Education Benefits

(a) Administration of Veterans Affairs Program			1,350,000
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SOURCE OF FUNDS:

(1) ASETF	<u>1,350,000</u>		
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Total Veterans Educational Benefits	1,350,000		1,350,000
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The above appropriation includes pro-rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act no. 767, 1965 Regular Session.

32. John M. Will Journalism Scholarship Fund

(a) Support of other Educational Activities Program			1,000
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SOURCE OF FUNDS:

(1) ASETF	<u>1,000</u>		
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Total John M. Will Journalism Scholarship Fund	1,000		1,000
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33. Youth Services

(a) Youth Services Program			8,906,171
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SOURCE OF FUNDS:

(1) ASETF	7,221,171		
(2) Federal and Local Funds		<u>1,685,000</u>	

Total Youth Services	7,221,171	1,685,000	8,906,171
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(To be expended in accordance with Act No. 816, 1973 Regular Session.)

Section 4.

B. NON-STATE EDUCATIONAL AGENCIES:

1. American Legion Auxiliary Scholarship Fund			10,000
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SOURCE OF FUNDS:

(1) ASETF	<u>10,000</u>		
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Total American Legion Auxiliary Scholarship Fund	10,000		10,000
(To be expended under the provisions of Act No. 676, 1978 Regular Session.)			
2. Birmingham Symphony			
(a) Fine Arts Program			95,000
To be used in the school concert program.			
SOURCE OF FUNDS:			
(1) ASETF	95,000		
Total Birmingham Symphony	95,000		95,000
3. Birmingham Training Center for Brain Injured Children			
(a) Non-Institutional Treatment and Care Program			30,000
SOURCE OF FUNDS:			
(1) ASETF	30,000		
Total Birmingham Training Center for Brain Injured Children .	30,000		30,000
4. East Alabama Regional Child Development Program			
(a) Financial Assistance Program			580,373
SOURCE OF FUNDS:			
(1) ASETF	525,000		
(2) Federal and Local Funds		55,373	
Total East Alabama Regional Child Development Program ...	525,000	55,373	580,373
Of the above appropriation the counties of Limestone, Jackson, Madison and Marshall shall receive \$25,000 each.			
5. Environmental Quality Association			
(a) Environmental Education Program			175,000
SOURCE OF FUNDS:			
(1) ASETF	175,000		
Total Environmental Quality Association	175,000		175,000
6. Montgomery Institute for Neurological Development			

(a) Non-Institutional Treatment and Care Program			25,000
SOURCE OF FUNDS:			
(1) ASETF	<u>25,000</u>		
Total Montgomery Institute of Neurological Development	25,000		25,000
7. Opportunities Industrialization Centers			
(a) Manpower Development and Employment Opportunities Program			175,000
SOURCE OF FUNDS:			
(1) ASETF	<u>175,000</u>		
Total Opportunities Industrialization Centers	175,000		175,000
8. Sylacauga Nurses Training School			
(a) Support of Other Educational Activities Program			384,984
SOURCE OF FUNDS:			
(1) ASETF	58,000		
(2) Federal and Local Funds		17,500	
(3) Other Funds		<u>273,484</u>	
Total Sylacauga Nurses Training School	58,000	290,984	384,984
(The above includes \$18,000 for Nursing Scholarships)			
(To be expended in accordance with Act No. 2393, 1971 Regular Session.)			
9. Hall of Fame Bowl Game:			
(a) Tourism and Travel Promotion			50,000
SOURCE OF FUNDS:			
(1) ASETF	<u>50,000</u>		
Total Hall of Fame Bowl Game ..	50,000		50,000
10. Alabama Shakespeare Festival			
(a) Fine Arts Program			2,500
SOURCE OF FUNDS:			
(1) ASETF	<u>2,500</u>		
Total Alabama Shakespeare Festival	2,500		2,500

Section 5.

COLLEGES, UNIVERSITIES AND SCHOOLS

I. Board of Trustees of University
of Alabama

A. The University

1. Operations & Maintenance, Ex-
tension, Public Service & Re-
search:

(a) Instruction	22,587,787
(b) Transfers	833,373
(c) Libraries	1,405,171
(d) Academic Support (excl. Libr.)	4,511,867
(e) Student Services	1,558,251
(f) Institutional Support	6,550,441
(g) Operation & Maintenance of Physical Plant	5,646,479
(h) Scholarships and Fellowships	648,766
(i) Capital Outlay	1,095,259
(j) Debt Service	292,240

SOURCE OF FUNDS:

(1) ASETF	31,723,728		
(2) Other Sources		<u>13,405,906</u>	
Total Operations & Maintenance, Extension, Public Service & Re- search	31,723,728	13,405,906	45,129,634

2. Extension, Public Service & Re-
search:

(a) Research	133,829
(b) Public Service	2,665,090
(c) Capital Outlay	20,720
(d) Debt Service	57,364
(e) Transfers	16,594

SOURCE OF FUNDS:

(1) ASETF	1,850,000		
(2) Other Sources		<u>1,043,597</u>	
Total Extension, Public Service, and Research	1,850,000	1,043,597	2,893,597

3. Emergency Medical Services
Paramedic Training:

(For operation and maintenance)

(a) Public Service	125,000
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SOURCE OF FUNDS:

(1) ASETF	<u>125,000</u>	
Total Emergency Medical Services	125,000	125,000

4. Center for Emotionally Disturbed Children:

(a) Academic Support (excl. Libr.)		472,462
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SOURCE OF FUNDS:

(1) ASETF	<u>472,462</u>	
Total Center for Emotionally Disturbed Children	472,462	472,462

5. Nursing Scholarships:

(a) Scholarships and Fellowships .		18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>	
Total Nursing Scholarships	18,000	18,000

6. School of Mines:

(a) Research		859,000
(b) Public Service		200,000

SOURCE OF FUNDS:

(1) ASETF	<u>1,059,000</u>	
Total School of Mines	1,059,000	1,059,000

7. Family Practice Center:

(a) Instruction		312,285
(b) Academic Support (excl. Libr.)		429,360

SOURCE OF FUNDS:

(1) ASETF	<u>741,645</u>	
Total Family Practice Center	741,645	741,645

8. Alabama Museum of Natural History—Mound State Park and Archaeological Service:

(a) Public Service		182,195
(b) Capital Outlay		6,705

SOURCE OF FUNDS:

(1) ASETF	150,000	
(2) Other Sources		<u>38,908</u>
Total Alabama Museum of Natural History—Mound State Park and Archaeological	150,000	38,900
		188,900

9. College of Community Health
Sciences:

(a) Instruction	1,515,047
(b) Libraries	135,377
(c) Academic Support (excl. Libr.)	409,836
(d) Operation & Maintenance of Physical Plant	169,412
(e) Capital Outlay	30,314

SOURCE OF FUNDS:

(1) ASETF	2,154,986		
(2) Other Sources		<u>105,000</u>	
Total College of Community Health Sciences	2,154,986	105,000	2,259,986

10. Auxiliary Enterprises:

(a) Scholarships & Fellowships ..	421,679
(b) Capital Outlay	37,652
(c) Auxiliary Enterprises	10,517,791
(d) Debt Service	1,457,481
(e) Transfer to Plant Funds	52 ,900

SOURCE OF FUNDS:

(1) Other Sources	<u>12,961,503</u>	
Total Auxiliary Enterprises	12,961,503	12,961,503

11. Restricted Funds:

(a) Instruction	6,310,584
(b) Research	1,120,746
(c) Public Service	934,713
(d) Academic Support (excl. Libr.)	79,116
(e) Student Services	102,883
(f) Institutional Support	308,817
(g) Operation & Maintenance of Physical Plant	138,348
(h) Scholarships and Fellowships	795,308
(i) Capital Outlay	347,637

SOURCE OF FUNDS:

(1) State Funds	3,185,481	
(2) Federal Funds	5,692,671	
(3) Other Sources	<u>1,260,000</u>	
Total Restricted Funds	10,138,152	10,138,152

12. Gadsden Cooperative Upper Division Program:

(a) Instruction	267,168
(b) Capital Outlay	15,992

SOURCE OF FUNDS:

(1) ASETF	193,189	
(2) Other Sources		<u>89,971</u>

Total Gadsden Cooperative Upper Division Program	193,189	89,971	283,160
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13. Rural Infant Development Environment Program	125,000
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SOURCE OF FUNDS:

(1) ASETF	<u>125,000</u>
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Total Rural Infant Development Environment Program	<u>125,000</u>	<u>125,000</u>
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14. Vocational Teacher Training Program	340,057
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SOURCE OF FUNDS:

(1) ASETF	<u>340,057</u>
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Total Vocational Teacher Training Program	<u>340,057</u>	<u>340,057</u>
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TOTAL UNIVERSITY OF ALABAMA	38,953,067	37,783,029	76,736,096
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B. University of Alabama in Birmingham

1. School of Medicine:

(a) Instruction	14,013,030
(b) Research	17,975,212
(c) Public Service	5,638,999
(d) Libraries	264,132
(e) Academic Support (excl. Libr.)	1,361,489
(f) Student Services	401,368
(g) Institutional Support	2,924,249
(h) Operation & Maintenance of Physical Plant	3,596,996
(i) Scholarships and Fellowships	115,000
(j) Capital Outlay	900,000
(k) Equipment—Other than Automotive (For Cavitron Laser Machine)	70,000

(l) Training on Special Cancer De-

tection for Rehabilitating for Speech & Hearing Disorders . . .			45,000
(m) Debt Service			724,221
(n) Hyperthermia Program			109,000
SOURCE OF FUNDS:			
(1) ASETF	16,199,000		
(2) State Funds		1,550,000	
(3) Federal Funds		22,400,000	
(4) Local Funds		550,000	
(5) Other Sources		<u>7,439,696</u>	
Total School of Medicine	16,199,000	31,939,696	48,138,696
2. Family and Other Primary Care Residency Programs:			
(a) Instruction			1,723,390
(b) Institutional Support			18,590
(c) Operation & Maintenance of Physical Plant			20,020
SOURCE OF FUNDS:			
(1) ASETF	<u>1,762,000</u>		
Total Family and Other Primary Care Residency Programs	1,762,000		1,762,000
The above appropriation shall be expended for residency programs as follows:			
Anniston	230,000		
East End	230,000		
Jefferson County	230,000		
Montgomery	230,000		
Montg.-Internal Medicine	220,000		
Heflin	50,000		
Selma	342,000		
Gadsden	230,000		
3. University College:			
(a) Instruction			10,763,800
(b) Research			453,100
(c) Public Service			1,061,300
(d) Libraries			1,357,200
(e) Academic Support (excl. Libr.)			2,467,492
(f) Student Services			903,284
(g) Institutional Support			2,248,924

(h) Operation & Maintenance of Physical Plant	1,675,854
(i) Scholarships and Fellowships ..	120,000
(j) Capital Outlay	400,000
(k) For Vocational Teacher Training	125,000

SOURCE OF FUNDS:

(1) ASETF	13,452,764		
(2) Federal Funds		382,821	
(3) Local Funds		656,903	
(4) Other Sources		<u>7,083,466</u>	
Total University College	13,452,764	8,123,190	21,575,954

4. University Hospital and Clinics:

(a) Hospital	81,914,088
(b) Debt Service	2,798,000

SOURCE OF FUNDS:

(1) ASETF	5,907,000		
(2) Other Sources		<u>78,805,088</u>	
Total University Hospital and Clinics	5,907,000	78,805,088	84,712,088

5. School of Optometry:

(a) Instruction	2,111,241
(b) Research	91,684
(c) Public Service	62,188
(d) Libraries	5,477
(e) Academic Support (excl. Libr.) ..	296,586
(f) Student Services	33,263
(g) Institutional Support	154,370
(h) Operation & Maintenance of Physical Plant	315,882
(i) Debt Service	26,125

SOURCE OF FUNDS:

(1) ASETF	2,021,500		
(2) State Funds		267,731	
(3) Other Sources		<u>807,585</u>	
Total School of Optometry	2,021,500	1,075,316	3,096,816

6. School of Public and Allied Health:

(a) Instruction	1,890,445
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(b) Research	64,469
(c) Public Service	245,500
(d) Libraries	27,785
(e) Academic Support (excl. Libr.)	484,513
(f) Student Services	60,197
(g) Institutional Support	230,800
(h) Operation & Maintenance of Physical Plant	257,771
(i) Scholarships and Fellowships .	16,000
(j) Debt Service	29,514

SOURCE OF FUNDS:

(1) ASETF	1,838,473		
(2) Federal Funds		1,089,642	
(3) Other Sources		<u>378,879</u>	
Total School of Community and Al- lied Health Resources	1,838,473	1,468,521	3,306,994

7. Regional Technical Institute:

(a) Instruction	1,382,972
(b) Research	24,750
(c) Public Service	95,495
(d) Libraries	35,627
(e) Academic Support (excl. Libr.)	210,097
(f) Student Services	63,388
(g) Institutional Support	102,146
(h) Operation & Maintenance of Physical Plant	292,825

SOURCE OF FUNDS:

(1) ASETF	1,697,245		
(2) Federal Funds		349,873	
(3) Other Sources		<u>160,182</u>	
Total Regional Technical Institute	1,697,245	510,055	2,207,300

8. Joint Health Sciences Program:

(a) Instruction	1,675,968
(b) Libraries	32,400
(c) Academic Support (excl. Libr.)	185,700
(d) Student Services	12,000
(e) Institutional Support	280,400
(f) Operation & Maintenance of Physical Plant	572,164
(g) Scholarships and Fellowships .	100,000

(h) Capital Outlay			50,000
SOURCE OF FUNDS:			
(1) ASETF	2,392,488		
(2) Federal Funds		175,800	
(3) Other Sources		<u>340,344</u>	
Total Joint Health Sciences Program	2,392,488	516,144	2,908,632
9. Department of Pediatrics:			
(a) Instruction			318,000
SOURCE OF FUNDS:			
(1) ASETF	<u>318,000</u>		
Total Department of Pediatrics ...	318,000		318,000
10. Center for Labor Education & Research:			
(a) Research			43,070
(b) Public Service			172,270
(c) Institutional Support			30,040
(d) Operation & Maintenance of Physical Plant			23,794
SOURCE OF FUNDS:			
(1) ASETF	<u>269,174</u>		
Total Center for Labor Education and Research	269,174		269,174
11. Student Nurses Loans:			
(a) Scholarships & Fellowships ..			12,000
SOURCE OF FUNDS:			
(1) ASETF	<u>12,000</u>		
Total Student Nurses Loans	12,000		12,000
12. Special Mental Health:			
(a) Instruction			1,684,908
(b) Research			362,451
(c) Public Service			91,707
(d) Institutional Support			95,246
(e) Operation & Maintenance of Physical Plant			80,877
(f) Transfers			567,710
SOURCE OF FUNDS:			
(1) Special Mental Health Fund ..		<u>2,882,899</u>	
Total Special Mental Health		2,882,899	2,882,899

13. Center for Developmental and Learning Disorders:

(a) Instruction	1,404,635
(b) Research	25,083
(c) Public Service	1,078,560

SOURCE OF FUNDS:

(1) Special Mental Health Fund .	487,250
(2) Federal Funds	1,482,501
(3) Other Sources	<u>538,527</u>

Total Center for Development and Learning Disorders	2,508,278	2,508,278
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14. School of Dentistry:

(a) Instruction	5,525,057
(b) Research	3,871,173
(c) Public Service	561,287
(d) Libraries	102,052
(e) Academic Support (excl. Libr)	574,044
(f) Student Services	127,565
(g) Institutional Support	803,661
(h) Operation & Maintenance of Physical Plant	2,079,120
(i) Debt Service	85,000

SOURCE OF FUNDS:

(1) ASETF	6,938,000	
(2) Federal Funds	4,100,000	
(3) Other Sources	<u>2,690,959</u>	
Total School of Dentistry	6,938,000	6,790,959
		13,728,959

15. School of Nursing Scholarships:

(a) Scholarships & Fellowships ..	88,400
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SOURCE OF FUNDS:

(1) ASETF	<u>88,400</u>	
Total School of Nursing Scholarships	88,400	88,400

16. System Medical Education Program:

(a) Instruction	503,500
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SOURCE OF FUNDS:

(1) ASETF	<u>503,500</u>	
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Total System Medical Education Program	503,500		503,500
17. School of Nursing:			
(a) Instruction			2,621,714
(b) Research			51,134
(c) Public Service			45,000
(d) Libraries			34,080
(e) Academic Support (excl. Libr.)			399,325
(f) Student Services			133,991
(g) Institutional Support			248,857
(h) Operation & Maintenance of Physical Plant			317,983
(i) Scholarships & Fellowships ...			20,000
SOURCE OF FUNDS:			
(1) ASETF	2,546,102		
(2) Federal Funds		719,603	
(3) Other Sources		<u>606,379</u>	
Total School of Nursing	2,546,102	1,325,982	3,872,084
18. Health—Related Research and Public Service:			
(a) Instruction			925,900
(b) Research			670,900
(c) Public Service			1,051,100
(d) Academic Support (excl. Libr.)			24,900
(e) Institutional Support			135,500
(f) Operation & Maintenance of Physical Plant			141,654
SOURCE OF FUNDS:			
(1) ASETF	2,889,654		
(2) Other Sources		<u>60,300</u>	
Total Health-Related Research and Public Service	2,889,654	60,300	2,949,954
(These appropriations under Subsection B, University of Alabama in Birmingham are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or tak-			

ing into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

19. Emergency Medical Training,
Including Mining Emergency
Training & Safety:

(a) Instruction	125,000
(b) Public Service	40,000

SOURCE OF FUNDS:

(1) ASETF	<u>165,000</u>	
Total Emergency Medical Training	165,000	165,000

20. Urban Research and Public
Service:

(a) Research	46,800
(b) Public Service	97,870
(c) Libraries	17,020
(d) Operation & Maintenance of Physical Plant	8,522

SOURCE OF FUNDS:

(1) ASETF	<u>170,212</u>	
Total Urban Research & Public Service	170,212	170,212

21. Hypertension Research 400,000

SOURCE OF FUNDS:

(1) ASETF	<u>400,000</u>	
Total Hypertension Research	400,000	400,000

22. Arthritis Research 400,000

SOURCE OF FUNDS:

(1) ASETF	<u>400,000</u>	
Total Arthritis Research	<u>400,000</u>	<u>400,000</u>

TOTAL UNIVERSITY OF ALA- BAMA IN BIRMINGHAM	59,970,512	136,006,428	195,976,940
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C. University of Alabama in
Huntsville:

(1) Operation and Maintenance:

(a) Instruction	4,439,805
(b) Research	1,514,883
(c) Public Service	277,652
(d) Libraries	330,645

(e) Academic Support (excl. Lib.) .	264,531
(f) Student Service	536,212
(g) Institutional Support	1,008,079
(h) Operation and Maintenance of Physical Plant	1,000,930
(i) Scholarships and Fellowships .	740,577
(j) Auxiliary Enterprises	1,075,163
(k) Equipment Purchases	530,000

SOURCE OF FUNDS:

(1) ASETF	5,691,184		
(2) Federal Funds		1,988,825	
(3) Other Sources		<u>3,938,468</u>	
Total Operation & Maintenance . .	5,791,184	5,927,293	11,718,477

2. School of Nursing Scholarships:

(a) Scholarships and Fellowships .	18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>
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Total School of Nursing Schol- arships	18,000	18,000
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(To be expended in accordance with
Act 2290, 1971 Regular Session.)

3. School of Primary Medical Care:

(a) Instruction	1,704,937
(b) Research	435,865
(c) Public Service	16,423
(d) Libraries	29,906
(e) Academic Support (excl. Libr.)	550,623
(f) Student Services	60,175
(g) Institutional Support	365,534
(h) Operation and Maintenance of Physical Plant	312,094
(i) Scholarships and Fellowships .	2,800
(j) Equipment Purchases	47,567

SOURCE OF FUNDS:

(1) ASETF	2,642,511		
(2) Federal Funds		440,228	
(3) Other Sources		<u>443,185</u>	

Total School of Primary Medical Care	2,642,511	883,413	3,525,924
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4. Johnson Environmental & Energy Center:

(a) Research	338,626
(b) Public Service	201,730
(c) Institutional Support	23,454
(d) Operation and Maintenance of Physical Plant	44,007
(e) Equipment Purchases	27,282

SOURCE OF FUNDS:

(1) ASETF	269,191		
(2) State Funds		58,911	
(3) Federal Funds		305,168	
(4) Other Sources		<u>1,829</u>	
Total Center for Environmental and Energy Studies	269,191	365,908	635,099

5. Ambulatory Care Center:

(a) Instruction	480,223
(b) Academic Support (excl. Libr.)	466,201
(c) Institutional Support	72,918
(d) Operation and Maintenance of Physical Plant	88,682
(e) Equipment Purchases	50,000

SOURCE OF FUNDS:

(1) ASETF	646,403		
(2) Other Sources		<u>511,621</u>	
Total Ambulatory Care Center ...	646,403	511,621	1,158,024

6. School of Nursing:

(a) Instruction	538,238
(b) Academic Support (excl. Libr.)	197,272
(c) Institutional Support	108,347
(d) Operation and Maintenance of Physical Plant	137,722
(e) Equipment Purchases	2,700

SOURCE OF FUNDS:

(1) ASETF	792,027		
(2) Other Sources		<u>192,252</u>	
Total School of Nursing	792,027	192,252	984,279

7. Paramedic Training:

(a) Instruction	7,750
(b) Public Service	86,000
(c) Institutional Support	16,730
(d) Operation and Maintenance of Physical Plant	14,520

SOURCE OF FUNDS:

(1) ASETF	<u>125,000</u>	
Total Paramedic Training	125,000	125,000

8. Alabama Solar Energy Center:

(a) Research	36,947
(b) Public Service	36,947
(c) Institutional Support	10,226
(d) Operation and Maintenance of Physical Plant	19,188
(e) Equipment Purchases	14,349

SOURCE OF FUNDS:

(1) ASETF	<u>117,657</u>	
Total Solar Energy Center	<u>117,657</u>	<u>117,657</u>

TOTAL UNIVERSITY OF ALA- BAMA IN HUNTSVILLE	10,401,973	7,880,487	18,282,460
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II. Board of Trustees of Alabama A
& M Univ.

A. Alabama A & M University

1. Operation and Maintenance

(a) Instruction	5,772,727
(b) Research	1,124,500
(c) Public Service	1,680,425
(d) Libraries	625,400
(e) Academic Support (excl. Libr.)	671,455
(f) Student Services	588,550
(g) Institutional Support	1,840,000
(h) Operation and Maintenance of Physical Plant	2,291,814
(i) Scholarships and Fellowships	150,000
(j) Auxiliary Enterprises	2,900,000
(k) Equipment Purchases	241,814
(l) Automotive Equipment	65,000
(m) Debt Service	451,000

SOURCE OF FUNDS:

(1) ASETF	8,100,000
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(2) Federal Funds		5,027,000	
(3) Other Sources		<u>5,275,685</u>	
Total Operation & Maintenance ..	8,100,000	10,302,685	18,402,685
2. Vocational Teacher Training ..			250,000
SOURCE OF FUNDS:			
(1) ASETF	<u>250,000</u>		
Total Vocational Teacher Trng. ..	<u>250,000</u>		<u>250,000</u>
TOTAL ALABAMA A & M UNIVERSITY	8,350,000	10,302,685	18,652,685
III. Board of Trustees of Alabama State University			
A. Alabama State University			
1. Operation and Maintenance:			
(a) Instruction			5,215,310
(b) Libraries			670,860
(c) Academic Support (excl. Libr.)			511,880
(d) Student Services			888,340
(e) Institutional Support			1,259,780
(f) Operation and Maintenance of Physical Plant			1,337,810
(g) Scholarships and Fellowships .			3,807,340
(h) Auxiliary Enterprises			2,424,780
(i) Research			93,610
(j) Public Service			93,820
(k) Debt Service			920,000
SOURCE OF FUNDS:			
(1) ASETF	7,118,175		
(2) Federal Funds		4,271,910	
(3) Other Sources		<u>5,833,445</u>	
Total Alabama State University .	7,118,175	10,105,355	17,223,530
IV. Board of Trustees of Auburn University			
A. Auburn University			
1. Operation and Maintenance:			
(a) Instruction			30,016,035
(b) Research			5,987,159
(c) Public Service			4,036,563
(d) Libraries			3,581,220
(e) Academic Support (excl. Libr.)			3,310,474

(f) Student Services		3,273,554	
(g) Institutional Support		4,651,892	
(h) Operation and Maintenance of Physical Plant		7,476,079	
(i) Scholarships and Fellowships .		1,400,000	
(j) Auxiliary Enterprises		15,040,000	
SOURCE OF FUNDS:			
(1) ASETF	34,962,440		
(2) Federal Funds		152,350	
(3) Other Sources		43,637,906	
(4) State Funds		<u>20,280</u>	
Total Operation and Maintenance	34,962,440	43,810,536	78,772,976
2. School of Nursing:			
(a) Instruction			500,000
SOURCE OF FUNDS:			
(1) ASETF	<u>500,000</u>		
Total School of Nursing	500,000		500,000
3. Educational Television:			
(a) Instruction			352,068
SOURCE OF FUNDS:			
(1) ASETF	<u>352,068</u>		
Total Educational Television	352,068		352,068
4. Center for Vocational Teacher Educational Training:			
(a) Instruction			500,000
SOURCE OF FUNDS:			
(1) ASETF	<u>500,000</u>		
Total Center for Vocational Teacher Educational Training .	500,000		500,000
5. Clinical Psychology:			
(a) Instruction			103,950
(b) Equipment—Other than Au- tomotive			6,050
SOURCE OF FUNDS:			
(1) ASETF	<u>110,000</u>		
Total Clinical Psychology	110,000		110,000
6. Agricultural Experiment Sta- tion (Including Wildlife):			
(a) Research			14,609,845

(b) Institutional Support	618,350
(c) Operation and Maintenance of Physical Plant	286,953

SOURCE OF FUNDS:

(1) ASETF	7,224,277		
(2) Federal Funds		5,546,341	
(3) Other Sources		2,550,000	
(4) State Funds		<u>194,530</u>	
Total Agriculture Experiment Sta- tion	7,224,277	8,290,871	15,515,148

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the Director of the Agriculture Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1979.

The funds provided in this sub-section (a) shall be used for the support of researchers, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the

with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researchers and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of

the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

7. Engineering Experimental Station:

(a) Research		812,232
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SOURCE OF FUNDS:

(1) ASETF	<u>812,232</u>	
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Total Engineering Experimental Station	812,232	812,232
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8. Cooperative Extension Service:

(a) Public Service		17,293,319
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SOURCE OF FUNDS:

(1) ASETF	7,893,538	
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(2) Federal Funds		7,872,700
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(3) Local Funds		<u>1,527,081</u>
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Total Cooperative Extension Service	7,893,538	9,399,781	17,293,319
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production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaptation and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researchers and experiments dealing with forest production, management and use; for researchers dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researchers to discover new uses of land; for the provisions of neces-

sary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation

9. Cooperative Extension Service—Retirement:

(a) Public Service 1,022,840

SOURCE OF FUNDS:

(1) ASETF 1,022,840

(2) Other Sources

Total Cooperative Extension Service—Retirement 1,022,840

The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

10. Public Service, Research and Extension:

(a) Public Service 346,841

SOURCE OF FUNDS:

(1) ASETF 346,841

Total Public Service, Research and Extension 346,841

11. Energy Research 250,000

SOURCE OF FUNDS:

(1) ASETF 250,000

Total Energy Research 250,000

TOTAL AUBURN UNIVERSITY 53,974,236 61,501,188 115,475,424

B. Auburn University at Montgomery:

1. Operations and Maintenance:

(a) Instruction 4,516,113

(b) Research 87,405

(c) Public Service 1,801,705

(d) Libraries 314,216

(e) Academic Support (excl. Libr.)	245,453
(f) Student Services	345,521
(g) Institutional Support	515,122
(h) Operation and Maintenance of Physical Plant	1,146,296
(i) Scholarships and Fellowships .	293,295
(j) Debt Service	60,314

SOURCE OF FUNDS:

(1) ASETF	5,281,493		
(2) Federal Funds		1,621,100	
(3) State Funds		45,000	
(4) Other Sources		<u>2,377,847</u>	
Total Operation and Maintenance	5,281,493	4,043,947	9,325,440

2. Montgomery Area Community Health Science Institute:

(a) Public Service	127,769
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SOURCE OF FUNDS:

(1) ASETF	<u>127,769</u>		
Total Montgomery Area Commu- nity Health Science Institute ..	127,769		127,769

3. Public Service Research and Ex-
tensions (Center for Government
& Public Affairs):

(a) Public Services	158,400
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SOURCE OF FUNDS:

(1) ASETF	150,000		
(2) Other Sources		<u>8,400</u>	
Total Public Service Research and Extensions (Center for Govern- ment and Public Affairs)	150,000	8,400	158,400

4. School of Nursing:

(a) Instruction	250,000
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SOURCE OF FUNDS:

(1) ASETF	<u>250,000</u>		
Total School of Nursing	250,000		250,000

TOTAL AUBURN AT MONT-
GOMERY

5,809,262	4,052,347	9,861,609
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V. Board of Trustees of Jackson-
ville State University:

A. Jacksonville State University

1. Operations and Maintenance

(a) Instruction	7,772,548
(b) Public Service	64,172
(c) Libraries	1,061,468
(d) Academic Support (excl. Libr.)	499,736
(e) Student Services	853,172
(f) Institutional Support	370,304
(g) Operation and Maintenance of Physical Plant	2,310,978
(h) Scholarships and Fellowships	315,000
(i) Debt Service	515,000

SOURCE OF FUNDS:

(1) ASETF	10,272,378		
(2) State Funds		160,000	
(3) Other Sources		<u>3,230,000</u>	
Total Operations and Maintenance	10,372,378	3,390,000	13,762,378

2. Gadsden Program:

(a) Instruction	465,622
(b) Public Service	8,000
(c) Libraries	38,000
(d) Academic Support (excl. Libr.)	18,000
(e) Student Services	15,000
(f) Operation and Maintenance of Physical Plant	50,000

SOURCE OF FUNDS:

(1) ASETF	484,622		
(2) Other Sources		<u>110,000</u>	
Total Cooperative University Upper Division (formerly Gadsden Prog.)	484,622	110,000	594,622

3. Nursing Scholarships:

(a) Scholarships and Fellowships	18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>		
Total Nursing Scholarships	18,000		18,000

(To be expended in accordance with
Act No. 2288, 1971 Regular Ses-
sion.)

4. United Cerebral Palsy Develop-
ment Center for East Central Al-
abama

100,000

SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>		
Total United Cerebral Palsy Development Center for East Central Alabama	100,000		100,000
5. For Vocational Teacher Training			100,000

SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>		
Total Vocational Teacher Training	100,000		100,000
TOTAL JACKSONVILLE STATE UNIVERSITY	11,075,000	3,500,000	14,575,000

A. Livingston University:

1. Operation and Maintenance:

(a) Instruction			1,634,247
(b) Libraries			173,902
(c) Academic Support (excl. Libr.)			192,472
(d) Student Services			224,790
(e) Institutional Support			630,208
(f) Operation and Maintenance of Physical Plant			891,821
(g) Scholarships and Fellowships			25,646
(h) Auxiliary Enterprises			1,078,000
(i) For Federal Programs			189,800

SOURCE OF FUNDS:

(1) ASETF	3,211,782		
(2) Federal Funds		189,800	
(3) Local Funds		<u>1,643,304</u>	
Total Operation and Maintenance	3,211,782	1,833,104	5,044,886

2. Nursing Scholarships:

(a) Scholarships and Fellowships			18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>		
Total Nursing Scholarships	<u>18,000</u>		<u>18,000</u>

TOTAL LIVINGSTON UNIVERSITY

3,229,782	1,833,104	5,062,886
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VII. Board of Trustees of University of Montevallo:

A. University of Montevallo:

1. Operations and Maintenance:

(a) Instruction			2,999,975
(b) Research			50,000
(c) Public Service			89,456
(d) Libraries			249,691
(e) Academic Support			372,312
(f) Student Services			392,952
(g) Institutional Support			807,390
(h) Operation and Maintenance of Physical Plant			1,546,618
(i) Scholarships and Fellowships ..			77,070
(j) Hospitals			306,080
(k) Auxiliary Enterprises			1,966,651
SOURCE OF FUNDS:			
(1) ASETF	4,975,198		
(2) State Funds		85,000	
(3) Federal Funds		323,959	
(4) Other Sources		<u>3,474,038</u>	
Total Operations and Maintenance	4,975,198	3,882,997	8,858,195
2. School for Asphasic Children:			
(a) Instruction			276,072
SOURCE OF FUNDS:			
(1) ASETF	199,464		
(2) Federal Funds		3,000	
(3) Other Sources		<u>73,608</u>	
Total School for Asphasic Children	199,464	76,608	276,072
3. Highway Safety Program:			
(a) Instruction			127,788
SOURCE OF FUNDS:			
(1) ASETF	125,714		
(2) Other Sources		<u>2,074</u>	
Total Highway Safety Program ..	125,714	2,074	127,788
4. Communications Center:			
(a) Public Service			18,178
SOURCE OF FUNDS:			
(1) ASETF	<u>18,178</u>		
Total Communications Center ...	18,178		18,178
5. For Vocational Teacher Training			
SOURCE OF FUNDS:			50,000

(1) ASETF	<u>50,000</u>		
Total Vocational Teacher Training	50,000		50,000
TOTAL UNIVERSITY OF MONTEVALLO	5,368,554	3,961,679	9,330,233
VIII. Board of Trustees of University of North Alabama:			
A. University of North Alabama:			
1. Operations and Maintenance:			
(a) Instruction			5,219,942
(b) Research			106,350
(c) Public Service			51,130
(d) Libraries			487,000
(e) Academic Support (excl. Libr.)			629,000
(f) Student Services			835,660
(g) Institutional Support			1,147,000
(h) Operation and Maintenance of Physical Plant			1,636,200
(i) Scholarships and Fellowships .			60,439
(j) Debt Service			170,700
SOURCE OF FUNDS:			
(1) ASETF	7,000,000		
(2) Federal Funds		284,680	
(3) Local Funds		85,000	
(4) Other Sources		<u>2,973,741</u>	
Total Operation and Maintenance	7,000,000	3,343,421	10,343,421
2. Auxiliary Enterprises:			
(a) Auxiliary Enterprises			2,544,321
SOURCE OF FUNDS:			
(1) Other Sources		<u>2,544,321</u>	
Total Auxiliary Enterprises		2,544,321	2,544,321
3. Nursing School Scholarships:			
(a) Scholarships and Fellowships			18,000
SOURCE OF FUNDS:			
(1) ASETF	<u>18,000</u>		
Total Nursing School Scholarships	18,000		18,000
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)			
TOTAL UNIVERSITY OF NORTH ALABAMA	7,018,000	5,887,742	12,905,742

IX. Board of Trustees of University
of South Alabama:

A. University of South Alabama:

1. Operations and Maintenance:

(a) Instruction	8,120,663
(b) Research	175,488
(c) Public Service	49,267
(d) Libraries	416,050
(e) Academic Support (excl. Libr.)	458,281
(f) Student Services	1,272,356
(g) Institutional Support	1,216,059
(h) Operations and Maintenance of Physical Plant	2,137,653
(i) Scholarships and Fellowships .	275,181
(j) Debt Service	1,499,333
(k) Capital Outlay	113,283
(l) Equipment—Other than Au- tomotive	508,199
(m) Automotive Equipment	19,110
(n) Transfers	190,000

SOURCE OF FUNDS:

(1) ASETF	9,852,713		
(2) State Funds		123,353	
(3) Federal Funds		481,400	
(4) Other Sources		<u>5,993,457</u>	
Total Operations and Maintenance	9,852,713	6,598,210	16,450,923

2. Statewide Medical Education:

(a) Instruction	187,824
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SOURCE OF FUNDS:

(1) ASETF	<u>187,824</u>	
Total Statewide Medical Education	187,824	187,824

3. Ambulatory Care:

(a) Academic Support (excl. Libr.)	99,304
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SOURCE OF FUNDS:

(1) ASETF	<u>99,304</u>	
Total Ambulatory Care	99,304	99,304

4. Family Practice Residency Pro-
gram:

(a) Instruction	423,316
(b) Operations and Maintenance of Physical Plant	4,880
(c) Equipment—Other than Au- tomotive	54,804
(d) Transfers	94,000

SOURCE OF FUNDS:

(1) ASETF	<u>577,000</u>	
Total Family Practice Residency Programs	577,000	577,000

The above appropriation shall be expended for Rural Family Practice Training Programs not limited to but including Family Practice Residency in Baldwin County, Family Practice Training Center in Pike County and start-up costs for Family Practice Residency Program in Dothan.

5. College of Medicine:

(a) Instruction	6,470,483
(b) Research	1,123,449
(c) Public Service	24,707
(d) Libraries	408,000
(e) Academic Support	386,817
(f) Student Services	125,262
(g) Instructional Support	869,353
(h) Operations and Maintenance of Physical Plant	1,228,181
(i) Scholarships and Fellowships .	35,811
(j) Capital Outlay	192,695
(k) Equipment—Other than Au- tomotive	192,695
(l) Transfers	1,791,434

SOURCE OF FUNDS:

(1) ASETF	8,459,329		
(2) Federal Funds		1,262,506	
(3) Other Sources		<u>3,127,052</u>	
Total College of Medicine	8,459,329	4,389,558	12,848,887

6. University Medical Center:

(Includes University Hospital and Clinic)

(a) Medical Center 25,971,366

SOURCE OF FUNDS:

(1) ASETF 1,677,427

(2) Other Sources 24,293,939

Total University Medical Center 1,677,427 24,293,939 25,971,366

7. Newborn Growth and Development Program (formerly Infant and Maternal Care):

(a) Instruction 79,097

SOURCE OF FUNDS:

(1) ASETF 79,097

Total Infant and Maternal Care . 79,097 79,097

8. Human and Clinical Nutrition Program

(a) Instruction 25,000

SOURCE OF FUNDS:

(1) ASETF 25,000

Total Human and Clinical Nutrition Prog. 25,000 25,000

9. Division of Allied Health:

(a) Instruction 456,770

(b) Institutional Support 74,384

(c) Equipment—Other than Automotive 57,000

(d) Transfers 96,145

SOURCE OF FUNDS:

(1) ASETF 586,432

(2) Other Sources 97,867

Total Division of Allied Health .. 586,432 97,867 684,299

10. School of Nursing:

(a) Instruction 500,706

(b) Institutional Support 15,000

(c) Equipment—Other than Automotive 30,000

(d) Transfers 99,942

SOURCE OF FUNDS:

(1) ASETF 468,864

(2) Federal Funds 25,500

(3) Other Sources		<u>151,284</u>	
Total School of Nursing	468,864	176,784	645,648
11. Nursing Scholarships:			
(a) Scholarships and Fellowships			22,539
SOURCE OF FUNDS:			
(1) ASETF	18,000		
(2) Other Sources		<u>4,539</u>	
Total Nursing Scholarships	18,000	4,539	22,539
(To be expended in accordance with Act No. 2304, 1971 Regular Ses- sion.)			
12. Research and Public Service Extension:			
(a) Research			40,000
(b) Public Service			51,398
(c) Equipment—Other than Au- tomotive			10,000
SOURCE OF FUNDS:			
(1) ASETF	91,398		
(2) Other Sources		<u>10,000</u>	
Total Research and Public Service Extension	91,398	10,000	101,398
13. Reproductive Health Sciences Center:			
(a) Instruction			25,000
(b) Equipment—Other than Au- tomotive			25,000
SOURCE OF FUNDS:			
(1) ASETF	<u>50,000</u>		
Total Reproductive Health Sci- ences Center	50,000		50,000
14. Paramedic Training Program:			
(a) For Operations and Mainte- nance			125,000
SOURCE OF FUNDS:			
(1) ASETF	<u>125,000</u>		
Total Paramedic Training Program	125,000		125,000
15. Auxiliary Enterprises:			
(a) Auxiliary Enterprises			4,549,481

SOURCE OF FUNDS:

(1) Other Sources	4,549,481		
Total Auxiliary Enterprises	<u>4,549,481</u>	<u>4,549,481</u>	
TOTAL UNIVERSITY OF SOUTH ALABAMA	22,297,388	40,120,378	62,417,766

(These appropriations under Section IX, University of South Alabama, are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama whether acting on their behalf or for others are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

X. Board of Trustees of Troy State University

A. Troy State University:

1. Operations and Maintenance:

(a) Instruction	4,176,400
(b) Research	32,800
(c) Libraries	377,900
(d) Academic Support (excl. Libr.)	259,800
(e) Student Services	831,200
(f) Institutional Support	1,090,300
(g) Operation and Maintenance of Physical Plant	1,300,000
(h) Scholarships and Fellowships	360,000
(i) Public Service	221,800
(j) Auxiliary Enterprises	3,265,318
(k) Capital Outlay	365,000
(l) Debt Services	245,000
(m) Transfer to Plant Fund	100,000
(n) For Vocational Teacher Training	100,000

SOURCE OF FUNDS:

(1) ASETF	6,508,599	
(2) Federal Funds		500,000
(3) Other Sources	<u>5,716,919</u>	

Total Operations and Maintenance	6,508,599	6,216,919	12,725,518
2. Operation and Maintenance at Ft. Rucker/Dothan:			
(a) Instruction			1,137,700
(b) Libraries			114,900
(c) Academic Support (excl. Libr.)			154,700
(d) Student Services			131,200
(e) Institutional Support			172,500
(f) Operation and Maintenance of Physical Plant			116,626
(g) Scholarships and Fellowships			20,000
(h) Auxiliary Enterprises			145,000
(i) Capital Outlay			115,000
(j) Debt Service			80,000
SOURCE OF FUNDS:			
(1) ASETF	870,000		
(2) Other Sources		<u>1,317,626</u>	
Total Operations and Maintenance at Ft. Rucker/Dothan	870,000	1,317,626	2,187,626
3. Operations and Maintenance in Montgomery:			
(a) Instruction			1,271,300
(b) Public Service			66,500
(c) Libraries			15,000
(d) Academic Support (excl. Libr.)			145,000
(e) Student Services			235,000
(f) Institutional Support			495,000
(g) Scholarships and Fellowships			5,000
(h) Auxiliary Enterprises			220,000
(i) Capital Outlay			50,000
SOURCE OF FUNDS:			
(1) ASETF	222,800		
(2) Other Sources		<u>2,280,000</u>	
Total Operations and Maintenance in Montgomery	222,800	2,280,000	2,502,800
4. Nursing Scholarships:			
(a) Scholarships and Fellowships			36,000
SOURCE OF FUNDS:			
(1) ASETF	<u>36,000</u>		

Total Nursing Scholarships	36,000		36,000
(To be expended in accordance with Act No. 2292, 1971 Regular Ses- sion.)			
5. Operation and Maintenance of Troy State University's Bay Minette Branch:			
(a) Instruction			50,000
SOURCE OF FUNDS:			
(1) ASETF	50,000		
Total Operation and Maintenance at Bay Minette's Branch	50,000		50,000
6. Operation and Maintenance of BSN Program in Montgomery .			
			250,000
SOURCE OF FUNDS:			
(1) ASETF	250,000		
Total Nursing School—Mont- gomery	250,000		250,000
TOTAL TROY STATE UNIVER- SITY	7,937,399	9,814,545	17,751,944
XI. Board of Trustees for Alabama Institute for Deaf and Blind:			
A. Alabama Institute for Deaf and Blind:			
1. Operation and Maintenance:			
(a) Instructions			1,710,440
(b) Libraries			72,368
(c) Student Services			379,151
(d) Institutional Support			149,190
(e) Operation and Maintenance of Physical Plant			1,337,543
(f) Scholarships and Fellowships .			1,800
(g) Infirmary Speech and Hearing			133,233
(h) Auxiliary Enterprises			2,179,651
SOURCE OF FUNDS:			
(1) ASETF	3,696,500		
(2) Federal Funds		2,266,876	
Total Alabama Institute for Deaf and Blind	3,696,500	2,266,876	5,963,376
B. Department of Adult Blind and Deaf:			
1. Operation and Maintenance:			

(a) Instruction	1,105,085
(b) Libraries	77,133
(c) Academic Support (excl. Libr.)	32,441
(d) Student Services	805,927
(e) Institutional Support	259,251
(f) Operation and Maintenance of Physical Plant	312,833
(g) Auxiliary Enterprises	5,896,247
(h) Equipment—Other than Au- tomotive	63,466
(i) Automotive Equipment	12,501

SOURCE OF FUNDS:

(1) ASETF	1,518,500		
(2) Federal Funds		2,017,349	
(3) Other Sources		<u>5,029,035</u>	
Total Alabama Institute for Deaf and Blind	<u>1,518,500</u>	<u>7,046,384</u>	<u>8,564,884</u>

GRAND TOTAL ALABAMA IN-
STITUTE FOR DEAF AND

BLIND	5,215,000	9,313,260	14,528,260
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Also each certificated employee shall be allowed two hundred forty-seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan(s) and the carrier(s) of the hospital-medical insurance.

Of the appropriation above three hundred dollars (\$300) per teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, based on this budget, recommend to the President the amount to be allotted to each teacher for the operation of the Instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. Of the amount appropriated above for the fiscal year ending September 30, 1979, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary increases as follows:

Teachers holding Rank "AA" or equivalent certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I or its equivalent teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II or its equivalent teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III or its equivalent teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV or its equivalent teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

In addition to the salary now received by support personnel, full-time personnel shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on number of hours worker per day.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

(a) Instruction	1,256,227
(b) Instructional Support	105,072
(c) Administrative Support	442,221
(d) Student Services	144,347
(e) Operation and Maintenance of Physical Plant	362,141
(f) Auxiliary Enterprises	323,122

SOURCE OF FUNDS:

(1) ASETF	1,500,000		
(2) Federal Funds		122,250	
(3) Other Sources		<u>1,010,880</u>	
TOTAL ATHENS STATE COL- LEGE	1,500,000	1,133,130	2,633,130

Section 6. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

1. George C. Wallace Community College at Dothan:

For Operations and Maintenance 125,000

2. Gadsden State Junior College:

For Operations and Maintenance 125,000

Section 7. Other Educational Appropriations:

1. George C. Wallace Community Technical Branch—Dothan:

For a nursing school 200,000

2. George Corley Wallace State Community College (Selma):

For Operations and Maintenance at the facility formerly Craig AFB 116,300

3. George Corley Wallace State
Community College—Technical
Branch (Selma):

For Operations and Maintenance
at the facility formerly Craig
AFB

324,000

4. Alabama Academy of Honor .. 3,500

Section 8. There is hereby appropriated from the Alabama Special Educational Trust Fund the sum of three million dollars (\$3,000,000) to be used for the creation and maintenance of a student assistance program to be administered by the Alabama Commission on Higher Education for students of certain approved institutions.

Section 9.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,882,899 to be expended under the programmatic area as shown under subsection 12 on page 52.

(2) There is hereby transferred from the Special Mental Health Trust Fund \$487,250 to be expended under the programmatic area as shown under subsection 13 on page 52.

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Section 257, 258, and 259 of the Constitution in 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

Section 10. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefore provided, that all appropriations and funds made available to the University of Alabama at Tuscaloosa, University of Alabama in Birmingham, University of Alabama in Huntsville, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 11. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educa-

tion or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation.

Section 12. The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, which holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 13. This Act shall become effective on October 1, 1978.

AMENDMENT TO S. B. 56

Amend Senate Bill 56 on page 38, line 29 by adding the following: "(Of the above appropriation, Fifteen Thousand Dollars (\$15,000) shall be spent for the construction of a chapel on the campus at Mount Meigs.)"

HOUSE AMENDMENT TO SENATE BILL 56

Amend Senate Bill 56 on page 76, line 7 by striking out the figure "6,470,483" and inserting in lieu thereof the figure "6,320,483".

Further amend Senate Bill 56 on page 76, line 8 by striking out the figure "1,123,449" and inserting in lieu thereof the figure "1,073,449".

Further amend Senate Bill 56 on page 76, line 24 by striking out the figure "8,459,329" and inserting in lieu thereof the figure "8,259,329".

Further amend Senate Bill 56 on page 76, line 24 by striking out the figure "12,848,887" and inserting in lieu thereof the figure "12,648,887".

Further amend Senate Bill 56 on page 79, by striking out line 11 in its entirety and inserting in lieu thereof the following:

"16. Basic Medical Sciences:

(a) Instruction	109,323
(b) Research	20,347
(c) Libraries	16,273
(d) Academic Support	25,213
(e) Student Services	3,045
(g) Operations and Maintenance of Physical Plant	30,037

SOURCE OF FUNDS:

(1) ASETF	200,000		
(2) Other Sources		14,400	
Total Basic Medical Sciences	200,000	14,400	214,000
TOTAL UNIVERSITY OF SOUTH ALABAMA	22,297,388	40,120,378	62,417,766".

AMENDMENT TO S. B. 56

Amend S. B. Bill 56, Page 42, Line 6 by adding the following language after the words "Colleges, Universities and Schools":

"Of the funds appropriated in Section 5 herein for colleges, universities and schools listed below, no institution shall be eligible to receive appropriations provided herein unless such institution provides its employees, upon their request, payroll deduction of dues from at least seven (7) different pay periods for the local affiliate of any general incorporated statewide educator's organization or labor organization. Deduction of dues shall be made only upon written request of the employee and shall not be construed to grant any organization any bargaining rights upon behalf of the institution's employees. Deduction of dues shall not be required for any organization which serves only persons employed in a particular subject matter area.

AMENDMENT TO S. B. 56

Amend S. B. 56, on page 19, line 22, by striking the figure "2,313,000" and inserting in lieu thereof the following figure: 2,750,000.

Also amend S. B. 56, on page 19, lines 23-25 by striking subparagraph (2) and the figure "47,000".

Further amend S. B. 56, on page 19, lines 26-27, by striking subparagraph (3) and the figure "390,000."

AMENDMENT TO S. B. 56
AMENDMENT No. 1

Amend Senate Bill 56 by adding on line 23 page 87 the following:

"Section 10. Each appropriation made herein shall be reduced by .0052 percent or such other percentage as may be necessary to limit the expenditures from the ASETF to an amount that does not exceed available revenues. Provided, however, that if revenues are available to pay each appropriation made herein in full then all appropriation shall be paid in full."

further amend the bill by renumbering the remaining Sections so that Sections 10, 11, 12 and 13 shall read Sections 11, 12, 13, and 14.

and requested a Committee on Conference.

Yeas 25; Nays 7.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Proctor, Roberts, Stewart, Vacca, Waldrop.

—25

Nays:

Messrs. Adams, Edwards, Jones, McDonald (S), Powell, Shelby, Teague.

—7

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Owen, Pearson, and Higginbotham.

BILLS ON THIRD READING RESUMED

The Bill:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

was taken up.

Mr. Baker offered the following substitute for the Bill, H. B. 65, to-wit:

SUBSTITUTE FOR H. B. 65

A BILL TO BE ENTITLED AN ACT

To provide further for the distribution of payments in lieu of taxes made to the state by the Tennessee Valley Authority.

Be It Enacted by the Legislature of Alabama:

Section 1. Commencing for the fiscal year beginning October 1, 1979, twenty per cent (20%) of any payments made to the state by the Tennessee Valley Authority in lieu of taxes shall be paid back, to the counties, municipalities, within the county which are served by such federal agency, and public agencies therein where the property is located as provided herein and in fiscal years beginning after such date the percent of payments back to the counties and municipalities within the county which are served by such federal agency shall be increased ten percent (10%) each fiscal year thereafter until eighty percent (80%) of the annual receipts are so distributed annually.

Section 2. Distribution herein provided shall be made to the governing bodies of said counties. However, the Legislature may prescribe by local act other distribution within such counties to local governments and public agencies therein. Unless otherwise prescribed by local act by the legislature, the county's share of said payments shall be divided between the county and the municipalities who are served by Tennessee Valley Authority in the same proportion that the population of the served municipalities bears to the population of those who are served by Tennessee Valley Authority within the county.

Any such payments by TVA shall be distributed as follows:

(A) Eighty percent of said amount shall be distributed among the counties in the same proportion that the amount of such agency's power sales revenue generated in each county, less direct sales by such agency to industry, bears to the total amount of such agency's power sales revenue generated in all counties of the state served by such agency.

(B) Ten percent of said amount shall be distributed among the counties

in the same proportion that the dollar value amount of such agency's properties and reservoir lands in each county bears to the total dollar value of all such agency's properties and reservoir lands in all counties served by such agency.

(C) Ten percent of said amount shall be distributed among the counties in the same proportion that the amount of such agency's direct power sales to industry in each county bears to the total amount of such agency's power sales revenue generated in such manner in all counties of the state served by TVA.

Section 3. Any amount received by any county directly from such agency as payment in lieu of taxes shall be paid over to the state for redistribution according to the formula provided in Section 2 hereof.

Section 4. The provisions of this act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Perloff moved that said substitute be laid on the table.

Yeas 18; Nays 11.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Gilmore, Goodwin, Jones, King, McDonald (A), Noonan, Peden, Perloff, Perry, Powell, Roberts, St. John, Teague, Vacca.

—18

Nays:

Messrs. Baker, Fine, Higginbotham, Little, Mims, Mitchell, Owen, Pearson, Proctor, Shelby, Wilson.

—11

Mr. Baker then offered the following amendment to the Bill, H. B. 65, to-wit:

SENATE AMENDMENT TO H. B. 65

Amend H. B. 65 by inserting after the present Section 5 a new section as follows:

"Section 6. Severability. If any portion of this Act or any amendment thereto shall be declared invalid or unconstitutional or if any amendment should cause the act to be in violation of any provision of the Constitution of Alabama then such portion or amendment declared to be invalid or causing such unconstitutionality shall not affect the validity of any of the remaining portions of this act, which shall continue effective." and by renumbering the remaining sections accordingly.

On motion of Mr. Perloff, said amendment was laid on the table.

Yeas 17; Nays 15.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Gilmore, Goodwin, King, McDonald (A), Noonan, Pearson, Peden, Perloff, Perry, Powell, Roberts, St. John, Vacca.

—17

Nays:

Messrs. Baker, Edwards, Fine, Foshee, Higginbotham, Jones, Little, Mims, Mitchell, Proctor, Shelby, Stewart, Teague, Waldrop, Wilson.

—15

Mr. Little offered the following amendment to the Bill, H. B. 65, to-wit:

AMENDMENT TO H. B. 65

Amend House Bill 65 on page 1, line 10 by striking the following: , this bill further provides for the redistribution of the state profit and tax on alcoholic beverages.

Further amend House Bill 65 on page 1, line 18 by striking the following:

, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

Further amend House Bill 65 on page 3, line 9 by striking out Sections 4 and 5 in their entirety and inserting in lieu thereof the following:

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Perloff, said amendment was laid on the table.

Yeas 18; Nays 14.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Gilmore, Goodwin, King, McDonald (A), Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Roberts, St. John, Vacca.

—18

Nays:

Messrs. Baker, Fine, Foshee, Higginbotham, Jones, Little, McMillan, Mims, Mitchell, Proctor, Shelby, Stewart, Waldrop, Wilson.

—14

And said Bill, H. B. 65, was read a third time at length and passed.

Yeas 20; Nays 14.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Gilmore, Goodwin, Jones, King, McDonald (A), McMillan, Noonan, Pearson, Peden, Perloff, Perry, Powell, Roberts, St. John, Vacca.

—20

Nays:

Messrs. Baker, Fine, Foshee, Higginbotham, Little, Mims, Mitchell, Owen, Proctor, Shelby, Stewart, Teague, Waldrop, Wilson.

—14

Mr. Perloff moved that the Senate reconsider the vote by which the Bill, H. B. 65, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate bill:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Merrill, Sasser and Manley.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 13. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of 1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

Also:

S. 81. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 do not have to be republished.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 15. To propose and provide for the submission of an amendment of Section 110 of the Constitution of Alabama of 1901.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 105. To amend section 36-27-7.1, Code of Alabama 1975, so as to provide further for the partial participation of certain retired employees of the cooperative extension service of Auburn University in the state employees' retirement system under the provisions of section 36-27-7, Code of Alabama 1975, upon such employees making a certain contribution to the state employees' retirement system.

Was read a third time at length and passed.

Yeas 17; Nays 0.

Abstaining 1.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Goodwin, Jones, Mims, Mitchell, Owen, Pearson, Peden, Perloff, St. John, Shelby, Teague, Vacca.

—17

Nays:

—0

Abstaining: Mr. McMillan.

—1

The Bill:

H. 166. To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session 1978, to provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, Little, McDonald (A), McMillan, Mims, Mitchell, Perloff, Perry, St. John, Shelby, Stewart, Teague, Vacca, Waldrop.

—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 7. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt church owned buses, car pools and van pools from regulation by the Public Service Commission and municipalities.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 164. To provide for distinctive motorcycle license plates for Shrine motorcycle club, corps or unit members; to provide for the design of such license plate; and to provide a procedure for issuance thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Jones, Little, McDonald (A), McMillan, Mims, Mitchell, Perloff, Perry, St. John, Shelby, Stewart, Teague, Vacca, Waldrop.

—24

Nays:

—0

RECESS

At 2:50 P.M., on motion of Mr. Perry, the Senate took a recess until 3:05 P.M.

NIGHT SESSION

FIFTH LEGISLATIVE DAY

FRIDAY, AUGUST 4, 1978

The Senate re-assembled in the Senate Chamber, Lieutenant Governor Beasley presiding.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 8. Relating to Walker County; to amend Sections 3, 4, 9 and 10 of Act No. 356, S. 502, 1971 Regular Session, approved August 19, 1971 (Acts 1971, p. 652), which provides for the construction, maintenance and repair of public roads and bridges in Walker County, so as to earmark ninety-five percent of all revenue received by the Walker County Commission from the coal severance tax provided for in Act No. 598, H. 643, 1977 Regular Session (Acts 1977, p. 799) for use in the maintenance and construction of roads in Walker County effective October 1, 1978; so as to divide funds in the county road and bridge fund equally among the commission districts of the county; and, so as to make certain powers vested in the county engineer subject to the approval of a majority of the members of the county commission.

Also:

S. 23. Relating to Tallapoosa County; providing further for the hunting and taking of raccoons and opossums in said County.

Also:

S. 48. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

Also:

S. 57. To amend the title and Section 3 of Act No. 581, S. 641, Regular Session 1977 (Acts 1977, p. 773) relating to Baldwin County and providing for a more convenient and economical system of serving notices to delinquent taxpayers so as to relieve the tax collector of duties relating to service of notice to delinquent taxpayers and provide for the county commission to pay all advertising costs for notices required by said act and publication of notice of sale by the tax collector.

Also:

S. 59. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

Also:

S. 64. To regulate the expense allowances in the Twenty-Eighth Judicial Circuit for district judges; and to provide for retroactive effect.

Also:

S. 71. Relating to Baldwin County; providing for the fixing of a fee for the issuance of a pistol permit by the sheriff; providing for the disposition and use of such fees; and giving this act retroactive effect.

Also:

S. 72. Relating to Baldwin County; providing further for an additional expense allowance for the tax assessor and the tax collector.

Also:

S. 74. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Also:

S. 86. Relating to the 36th Judicial Circuit; providing for an increase in salary supplement for the circuit judge of said circuit.

Also:

S. J. R. 6. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

Also:

S. J. R. 8. MOURNING THE TRAGIC DEATH OF MONTGOMERY POLICE OFFICER ROBERT C. USSERY.

Also:

S. J. R. 10. HONORING DR. MAMIE LABON FOSTER UPON HER RETIREMENT AFTER FORTY-SIX YEARS SERVICE WITH THE JEFFERSON COUNTY SCHOOL SYSTEM.

Also:

S. J. R. 14. COMMENDING DR. FRANK W. McCORKLE, PROMINENT GADSDEN PHYSICIAN.

Also:

S. J. R. 15. MOURNING THE DEATH OF MR. CLYDE A. DONEHOO.

Also:

S. J. R. 17. COMMENDING CHEROKEE COUNTY HIGH SCHOOL, 1978 STATE 3A TRACK CHAMPIONS.

Also:

S. J. R. 19. MOURNING THE DEATH OF MR. WALTER HAMMOND, PROMINENT BALDWIN COUNTY BUSINESSMAN AND CIVIC LEADER.

Also:

S. J. R. 21. MOURNING THE DEATH OF JESSE EUGENE LANIER, FORMER LONGTIME MAYOR OF BESSEMER, ALABAMA.

Also:

S. J. R. 29. URGING THE ALABAMA COMMISSIONER OF AGRICULTURE AND INDUSTRIES AND THE AUBURN COOPERATIVE EXTENSION SERVICE TO WORK WITH THE FEDERAL DRUG ADMINISTRATION TO STAMP OUT AFLATOXIN WHICH IS AFFECTING THE CORN CROP IN ALABAMA.

Also:

S. 41. To revise existing bail practices in the courts within the Fifteenth Judicial Circuit; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

Also:

S. 50. To make a conditional appropriation from the general fund of the State Treasury, to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

U. W. CLEMON,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 170. To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 170, to-wit:

COMMITTEE AMENDMENT TO H. B. 170

Amend H. B. 170, Section 1, Subsection (j), Page 9, lines 19 and 20, by deleting "provided that the legislature shall have enacted" and substituting therefor the following:

The legislature may enact

Further amend H. B. 170, Section 1, Subsection (j), Page 9, line 28 by deleting the period after the word "valuation" and inserting and adding to line 28 the following:

, provided, however, that any additional tax on taxable property ceasing to qualify for current use valuation shall not apply to more than the three ad valorem tax years immediately preceding such cessation of qualification (including as one such year the year in which cessation of qualification occurs).

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Goodwin, Higginbotham, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—28

Nays:

—0

The Standing Committee on Finance and Taxation then reported the following amendment to the Bill, H. B. 170, as amended, to-wit:

COMMITTEE AMENDMENT TO H. B. 170

Amend H. B. 170, Section 1, Subsection (c), Page 3, lines 10 through 21 by deleting the sentence on line 10 beginning "If the receipts", all of lines 11 through 20, and the sentence which ends with "ad valorem tax." on line 21.

and substituting therefor the following:

If (1) a county, municipality or other taxing authority adjusts an assessment ratio pursuant to the preceding sentence and (2) the receipts from all ad valorem taxes levied by or with respect to such taxing authority during the ad valorem tax year beginning October 1, 1978, exceed by more than 5 percent, or are less than 95 percent of, the receipts from which ad valorem taxes for the ad valorem tax year beginning October 1, 1977, then at any time not later than September 30, 1980 for ad valorem tax years beginning on and after October 1, 1979, the taxing authority may, subject to criteria established by act of the legislature, by resolution of the governing body of that taxing authority, adjust any assessment ratio applicable to any class of taxable property.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—32

Nays:

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Mr. Perry offered the following amendment to the Bill, H. B. 170, as amended, to-wit:

AMENDMENT TO H. B. 170, AS AMENDED

Amend House Bill No. 170, p. 9, line 36, by inserting after the word "merchandise" and before the period the following:

"to the extent the total value of such stocks of goods, wares and merchandise owned by a taxpayer does not exceed \$500,000"

On motion of Mr. Vacca, said amendment was laid on the table.

Yeas 29; Nays 3.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop.

—29

Nays: Messrs. Baker, Edwards, Perry.

—3

Mr. Baker offered the following substitute for the Bill, H. B. 170, as amended, to-wit:

SUBSTITUTE FOR H. 170, AS AMENDED

A BILL
TO BE ENTITLED
AN ACT

To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities to provide for the distribution of payments in lieu of taxes made to the state by the Tennessee Valley Authority.

Be It Enacted by the Legislature of Alabama:

Section 1. Proposed Constitutional Amendment. The following amendment to the Constitution of Alabama of 1901 is hereby proposed:

"Section 217. (a) On and after October 1, 1978, Aall taxable property within this state, not exempt by law, shall be divided into the following classes for the purposes of ad valorem taxation:

Class I. All property of utilities used in the business of such utilities,.

Class II. All property not otherwise classified,.

Class III. All agricultural, forest and single-family owner-occupied residential property, and historic buildings and sites

Class IV. All private passenger automobiles and motor trucks of the type commonly known as "pickups" or "pickup trucks" owned and operated by an individual for personal or private use and not for hire, rent or compensation.

(b) With respect to ad valorem taxes levied by the state, all taxable

property shall be forever taxed at the same rate., On and after October 1, 1978, and such property shall be assessed for ad valorem tax purposes according to the classes thereof as herein defined at the following ratios of assessed value to the fair and reasonable market value (except as otherwise provided in subsection (j) hereof) of such property:

Class I. 30 per centum

Class II. 25 20 per centum

Class III. 15 10 per centum

Class IV. 15 per centum

(c) With respect to ad valorem taxes levied by counties, municipalities or other taxing authority authorities, all taxable property shall be forever taxed at the same rate., On and after October 1, 1978, and such property shall be assessed for ad valorem tax purposes according to the classes of property defined in paragraph subsection (a) herein hereof and at the same ratios of assessed value to the fair and reasonable market value thereof as fixed in paragraph subsection (b) herein hereof, except as otherwise provided in subsection (j) hereof and this subsection (such ratios being herein called "assessment ratios"). provided, however, that In connection with the ad valorem taxes that a county, municipality or other taxing authority is authorized or required to levy and collect pursuant to any provision of this Constitution, for the ad valorem tax year beginning October 1, 1978, any such taxing authority may, subject to criteria established by act of the legislature, by resolution of the governing body of that taxing authority, at any time not later than September 30, 1979, increase or decrease the assessment ratio applicable to any class of taxable property, such increase or decrease to be effective for ad valorem tax years beginning on and after October 1, 1978. If the receipts from any ad valorem tax with respect to which any assessment ratio has been so adjusted by any taxing authority during the ad valorem tax year beginning October 1, 1978, exceed by more than 5 percent, or are less than 95 percent of, the receipts from such ad valorem tax for the ad valorem tax year beginning October 1, 1977, then at any time not later than September 30, 1980 for ad valorem tax years beginning on and after October 1, 1979, the taxing authority may, subject to criteria established by act of the legislature, by resolution of the governing body of that taxing authority, adjust any assessment ratio with respect to such ad valorem tax. On and after October 1, 1979, the governing body of any county, municipality or other taxing authority legislature may, subject to criteria established by act of the legislature, at any time vary increase or decrease the assessment ratio of assessed value to the fair and reasonable market value as applicable to any class of taxable property; as defined in paragraph (b) herein, and provided, that any proposed adjustment to an assessment ratio to be made pursuant to this sentence, whether an increase or a decrease, shall have been (1) proposed by the governing body of the taxing authority after a public hearing on such proposal, (2) thereafter approved by an act of the legislature, and (3) subsequently approved by a majority vote of the qualified electors residing in the taxing authority who vote on the proposal at a special election called and held in accordance with the law governing special elections. No decrease in an assessment ratio pursuant to this subsection (c) shall be permitted with respect to either of the ad valorem tax years beginning October 1, 1978, and October 1, 1979, if such county, municipality or other taxing authority has increased any millage rate under subsection (e) of this section with respect to such ad valorem tax year. further, that tThe legisla-

ture shall enact general laws applicable to all counties, municipalities and other taxing authorities regulating and establishing criteria for the exercise of the powers granted such taxing authorities to adjust assessment ratios as hereinabove provided. may fix a uniform ratio of assessment of all property within a county defined in paragraph (a) herein as Class II and III and may fix a different ratio of assessment for property defined in paragraph (a) as Class I. Such assessment ratios as herein authorized may vary among taxing authorities counties so long as each such assessment ratio is uniform within a taxing authority county. Any decrease in any assessment ratio pursuant to this subsection shall not jeopardize the payment of any bonded indebtedness secured by any tax levied by the taxing authority decreasing the assessment ratio. Any action authorized by this subsection to be taken by a taxing authority, or the governing body thereof, shall, other than in the case of a municipality, be taken by resolution of the governing body of the county in which such taxing authority is located acting on behalf of such taxing authority.

(d) With respect to ad valorem taxes levied by the state or by any county, municipality or other taxing authority, No class of taxable property shall have an assessment ratio of assessed value to fair and reasonable market value of less than 15 5 per centum nor more than 35 per centum.

(e) (d) A county, municipality, or other taxing authority may decrease any ad valorem tax rate at any time, provided such decrease shall not jeopardize the payment of any bonded indebtedness secured by such tax. For the ad valorem tax year beginning October 1, 1978, When the tax assessor of each county shall complete the assembly of the assessment book for his county for the that ad valorem tax year immediately following the adoption of this amendment and the computation of ad valorem taxes that will be paid upon such assessment, he shall certify to each authority within his county that levies an ad valorem tax the amount of ad valorem tax that will be produced by every levy in that ad valorem tax year but excluding for this purpose any assessment of new taxable property not previously subject to taxation (except "escaped" property as defined by law) added to the tax rolls of such county for the ad valorem tax year in which such certification is made that was not included on the tax rolls for the next preceding ad valorem tax year. If it shall appear that the estimated ad valorem tax receipts from any levy so estimated shall be less than the receipts from the same levy during the next preceding ad valorem tax year, then the levying authority shall increase each tax rate by such millage as Any county, municipality or other taxing authority, at any time not later than September 30, 1979, may increase the rate at which any ad valorem tax is levied by or with respect to that taxing authority above the limit otherwise provided in this Constitution, provided that the amount of the above-described certification of anticipated tax receipts with respect to such tax is less than 120% of the actual receipts from such tax for the ad valorem tax year beginning October 1, 1977, such increase to be effective for ad valorem tax years beginning on and after October 1, 1978; provided, that any such millage increase shall not exceed in mills the total of (i) the number of additional mills that is necessary, when added to the millage rate imposed with respect to such tax on each dollar of taxable property situated in the taxing authority for the ad valorem tax year beginning October 1, 1977, to produce revenue that is not less than and that is substantially equal to that received by the taxing authority with respect to such tax during such immediately preceding ad valorem tax year, plus (ii) a number of additional mills equal to 20% of the total mills imposed by that taxing authority with respect to such tax on each dollar of taxable property

situated in the taxing authority for the ad valorem tax year beginning October 1, 1977. If, for the ad valorem tax year beginning October 1, 1978, the receipts from any ad valorem tax with respect to which any millage rate has been increased pursuant to the immediately preceding sentence are less than 95 percent of the receipts from such ad valorem tax for the ad valorem tax year beginning October 1, 1977, then at any time not later than September 30, 1980, the taxing authority may increase any millage rate with respect to such ad valorem tax in the manner provided in the immediately preceding sentence, such increase to be effective for ad valorem tax years beginning on and after October 1, 1979. It is further provided that any and all millage adjustments shall be made in increments of not less than one tenth ($1/2$ 10) mill. The adjustment herein required shall be made only one time and shall be made in the ad valorem tax year immediately following the adoption of this amendment.

(f) (e) On and after October 1, 1979. Aany county, municipality, or other taxing authority may at any time increase the rate at which any ad valorem tax taxes are is levied above the limit now otherwise provided in the this Constitution; provided that the proposed increase to be made pursuant to this subsection shall have been (1) proposed by the governing body of the taxing authority having power to levy the tax after a public hearing on such proposal, (2) thereafter approved by an act of the legislature, and (3) subsequently approved by a majority vote of the qualified electors of residing in the taxing authority area in which the tax is to be levied or increased who vote on the proposal at a special election called and held in accordance with the law governing special elections. Any adjustments or other actions authorized to be made or taken pursuant to this subsection and subsection (e) hereof shall be made or taken by resolution of the governing body of such taxing authority, or if there is no such governing body and in the case of a taxing authority other than a municipality, by resolution of the governing body of the county in which such such taxing authority is located acting on behalf of such taxing authority. The provisions of subsections (c), (e) and (f) of this section shall not apply to ad valorem taxes levied by the State.

(g) (f) The legislature is authorized to enact legislation to implement the provisions of this amendment, section and may provide for exemptions from taxation; provided, however, that, unless otherwise expressly provided, no amendment to this section shall be construed to repeal any statutory exemption existing prior to the adoption of this amendment shall not be repealed, except by subsequent legislative act, and shall remain in full force and effect on the effective date of any such amendment hereto.

(h) (g) Wherever any constitutional provision or statute provides for, limits or measures the power of authority of any county, municipality or other taxing authority to levy taxes, borrow money, or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes, such provision shall mean as assessed for county or municipal taxes, as the case may be.

(i) (h) Except as otherwise provided in Any provision of the this Constitution, including any amendment thereto whenever adopted with respect to taxable property located in the City of Mountain Brook, the City of Vestavia Hills, or the City of Huntsville, of Alabama to the contrary notwithstanding, the amount of ad valorem taxes payable to the state and to all counties, municipalities and other taxing authorities with respect to any item of taxable property described as Class I property shall never exceed 2% $1-1/2\%$ of the fair and reasonable market value of such taxable the property in any one ad valorem tax taxable year., such amount with respect to any item of Class II property shall never exceed $1-1/2\%$ of the fair and reasonable market value of such taxable property in any one ad valorem tax year,

such amount with respect to any item of Class IV property shall never exceed 1-1/4% of the fair and reasonable market value of such taxable property in any one ad valorem tax year, and such amount with respect to any item of Class III property shall never exceed 1% of the fair and reasonable market value of such taxable property in any one ad valorem tax year. Whenever the total amount of ad valorem property taxes otherwise payable by any taxpayer with respect to any item of taxable property shall exceed in any one ad valorem tax year the maximum amount of such taxes permitted by this section, such amount of taxes shall be reduced by subtracting that amount of tax due that is in excess of the amount of tax otherwise permissible under the Constitution. In connection with the taxation of any item of taxable property, the amount of tax to be subtracted with respect to each authority levying and collecting any ad valorem property tax shall be in the same proportion to the total amount of tax to be subtracted that the total number of mills on each dollar of taxable property situated in the taxing authority levied by such taxing authority bears to the total number of mills on each dollar of taxable property situated in the taxing authority levied by all taxing authorities with respect to such item of taxable property. Before sending to any taxpayer any notice relating to the collection of ad valorem taxes, the tax collector in each county shall determine whether any portion of the amount of ad valorem property tax otherwise due with respect to any item of taxable property shall be subtracted pursuant to the provisions of this subsection and shall apportion the amount to be subtracted in accordance with the provisions of this subsection.

(j) Notwithstanding any other provision of this section, on and after October 1, 1978, taxable property defined in subsection (a) hereof as Class III property shall, upon application by the owner of such property, be assessed at the ratio of assessed value to the current use value of such taxable property and not the fair and reasonable market value of such property, provided that the legislature shall have enacted laws uniformly applicable to the state and all counties, municipalities and other taxing authorities establishing criteria and procedures for the determination of the current use value of any eligible taxable property and procedures for qualifying such property for assessment at its current use value. The legislature may also enact laws uniformly applicable to the state and all counties, municipalities and other taxing authorities providing for the ad valorem taxation of any taxable property ceasing to qualify for current use valuation.

(k) (i) The following property shall be exempt from all ad valorem taxation: the real and personal property of the state, counties and municipalities and property devoted exclusively to religious, educational or charitable purposes, household and kitchen furniture, all farm tractors, all farming implements when used exclusively in connection with agricultural property and all stocks of goods, wares and merchandise.

(l) Notwithstanding the other provisions of this section, with respect to the costs of reappraisal incident to the state-wide reappraisal of property heretofore authorized by the legislature, each county, municipality or other taxing authority for ad valorem tax years beginning on and after October 1, 1978, may impose and levy an additional ad valorem tax of not more than two mills on all taxable property located in the taxing authority in order to reimburse itself for its payment of such costs of reappraisal or to pay any unpaid costs or its pro rata share of such unpaid costs of reappraisal. The

taxes provided for in this subsection, or any pro rata part thereof, shall terminate at the end of the ad valorem tax year in which sufficient funds are received from the taxes to pay in full the said reappraisal costs and any receipts from such taxes that are received during the ad valorem tax year of their termination that are not needed for the purposes specified herein may be used by the taxing authority levying the tax for general purposes of the taxing authority. The taxes authorized in this subsection shall not exceed in the aggregate, with respect to any item of taxable property located in the taxing authority, a total of two mills for all such taxes levied by all taxing authorities in a county and not two mills for each taxing authority in a county. If more than one such taxing authority in a county has paid or owes all or a portion of its reappraisal costs, such two mills shall be prorated among such taxing authorities in the county as they may agree, or if they cannot agree, in the percentage which each such taxing authority's costs of reappraisal bear to the total costs of reappraisal of all taxing authorities in the county. The provisions of this subsection shall apply only to the costs incurred by a taxing authority incident to the state-wide reappraisal of property heretofore authorized by the legislature, the amount of which costs shall be certified by the Department of Revenue, and shall not be applicable to any future reappraisals that may be required by law.

(m) If any portion of this section should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining portions of this section, which shall continue effective.

(n) Commencing for the fiscal year beginning October 1, 1979, twenty per cent (20%) of any payments made to the state by the Tennessee Valley Authority in lieu of taxes shall be paid back, to the counties, municipalities, within the county which are served by such federal agency, and public agencies therein where the property is located as provided herein and in fiscal years beginning after such date the percent of payments back to the counties and municipalities within the county which are served by such federal agency shall be increased ten percent (10%) each fiscal year thereafter until eighty percent (80%) of the annual receipts are so distributed annually.

Distribution herein provided shall be made to the governing bodies of said counties. However, the Legislature may prescribe by local act other distribution within such counties to local governments and public agencies therein. Unless otherwise prescribed by local act by the legislature, the county's share of said payments shall be divided between the county and the municipalities who are served by Tennessee Valley Authority in the same proportion that the population of the served municipalities bears to the population of those who are served by Tennessee Valley Authority within the county.

Any such payments by TVA shall be distributed as follows:

(A) Eighty percent of said amount shall be distributed among the counties in the same proportion that the amount of such agency's power sales revenue generated in each county, less direct sales by such agency to industry bears to the total amount of such agency's power sales revenue generated in all counties of the state served by such agency.

(B) Ten percent of said amount shall be distributed among the counties in the same proportion that the dollar value amount of such agency's properties and reservoir lands in each county bears to the total dollar value of all such agency's properties and reservoir lands in all counties served by such agency.

(C) Ten percent of said amount shall be distributed among the counties in the same proportion that the amount of such agency's direct power sales to industry in each county bears to the total amount of such agency's power sales revenue generated in such manner in all counties of the state served by TVA.

Any amount received by any county directly from such agency as payment in lieu of taxes shall be paid over to the state for redistribution according to the formula provided in Section 2 hereof."

Section 2. Election Ordered; Date of Election. An election upon the proposed amendment is ordered to be held on Tuesday, November 7, 1978, the day of the general election in the year 1978. The election shall be held in accordance with the provisions of Section 284, as amended, and Section 285 of the Constitution of Alabama of 1901, and Title 17, Chapter 17, Code of Alabama 1975.

Section 3. Notice of Election. Notice of the election on the proposed amendment shall be given by proclamation of the Governor, published in a newspaper in each county in the state once a week for four successive weeks next preceding the day appointed herein for the election, and in any county in which there may be no newspaper published, the notice shall be posted at each courthouse therein.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Goodwin moved that the Senate concur in and adopt the following House amendment to the Bill, S. B. 49, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 49

A BILL TO BE ENTITLED A ACT

To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for

a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

Be It Enacted by the Legislature of Alabama:

Section 1. The Medical Services Administration of the State of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, is hereby authorized to contract, for periods not to exceed three years, with one or more fiscal intermediaries for the purpose of receiving, processing and paying claims for services rendered recipients of the Alabama Medicaid Program. Provided however, such contracts shall comply in all other respects with the provisions of the Alabama Competitive bid Law as codified in Sections 41-16-20 through 41-16-32 of the Code of Alabama 1975, as amended.

Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed insofar as they apply to such contracts.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Little moved that further consideration of the House amendment to the Bill, S. B. 49, be postponed temporarily.

Mr. Vacca moved that the motion to postpone be laid on the table, which motion was lost.

The question was then on the motion of Mr. Little, which was adopted, and further consideration of the House amendment to the Bill, S. B. 49, was postponed temporarily.

FURTHER CONSIDERATION OF H. B. 170

The Senate proceeded to further consideration of the Bill, H. B. 170.

The question was on the substitute offered by Mr. Baker.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 39. To appropriate from the Special Educational Trust Fund the sum of \$12,000,000.00 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 39, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 39

Amend Senate Bill 39 in the Synopsis by adding on line 9 before the word "appropriates" the following word:

conditionally

Further amend Senate Bill 39 in the Synopsis on line 9 by striking therefrom the figures "\$12,000,000" and inserting in lieu thereof the following figures:

\$6,000,000

Further amend Senate Bill 39 in the title, lines 18 through 22 by striking the title in its entirety and inserting in lieu thereof the following new title:

The conditionally appropriate from the Special Educational Trust Fund the sum of \$6,000,000 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama.

Further amend Senate Bill 39 on line 27 in Section 1 by striking the figures "6,000,000" and inserting in lieu thereof the figures:

\$3,000,000

Further amend Senate Bill 39 in Section 2, line 30 by striking the figures "\$6,000,000" and inserting in lieu thereof the figures:

\$3,000,000

Further amend Senate Bill 39 by adding a new section three (3) and renumbering the remaining sections accordingly:

Section 3. The above appropriations in Section 1 and 2 will be conditioned on the availability of funds in the A.S.E.T.F. and released only on approval of the Governor.

AMENDMENT TO S. B. 39

Amend Senate Bill 39, in Title, line 22 by deleting the period, add instead a comma and after the comma add the following: "and for the University of Montevallo \$400,000.00"

Further Amend Senate Bill 39, on line 27 by deleting the period, add a comma and after the comma add the following: "and to the University of Montevallo \$400,000.00"

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Peden, Powell, Proctor, Roberts, St. John, Shelby, Teague, Waldrop.

—24

Nays:

—0

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 7. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt church owned buses, car pools and van pools from regulation by the Public Service Commission and municipalities.

Also:

S. 13. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of 1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

Also:

S. 81. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 do not have to be republished.

Also:

S. 15. To propose and provide for the submission of an amendment to Section 110 of the Constitution of Alabama of 1901.

U. W. CLEMON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF S. B. 1

The Senate proceeded to further consideration of the Bill, S. B. 1.

The question was on the motion of Mr. Waldrop that the Senate concur in the House amendment to the Bill, S. B. 1, which motion was adopted, and the Senate concurred in the House amendment to the Bill, S. B. 1.

Yeas 21; Nays 3.

Yeas:

Messrs. Clemon, Ellis, Goodwin, Higginbotham, Little, McMillan, Mims, Mitchell, Owen, Pearson, Peden, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop.

Nays: Messrs. Baker, Fine, Foshee.

—3

FURTHER CONSIDERATION OF H. B. 170

The Senate proceeded to further consideration of the Bill, H. B. 170.

The question was on the substitute offered by Mr. Baker.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 138. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs: Lee, Robertson, and Clarke:

H. 28. To exempt the Phoenix House, Inc., of Tuscaloosa; the Tuscaloosa County Historical and Preservation Society of Tuscaloosa; the Arts and Humanities Council of Tuscaloosa County, Inc.; and the Junior League of Tuscaloosa, Inc., from the payment of all state, county, and municipal sales and use taxes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 28. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 52. To exempt the Grand Chapter of the Order of the Eastern Star and the South Alabama State Fair Association of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Perry, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 52, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 52

Amend S. B. 52 by adding after the words "South Alabama State Fair Association" wherever they appear the following: "Southeastern Livestock Exposition"

AMENDMENT TO SENATE BILL 52

Amend said bill by inserting wherever Eastern Star appears "all order of Eastern Stars,

Yeas 27; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perry, Powell, Shelby, Stewart, Teague, Vacca, Waldrop.

—27

Nays:

—0

FURTHER CONSIDERATION OF H. B. 170

The Senate proceeded to further consideration of the Bill, H. B. 170.

The question was on the substitute offered by Mr. Baker.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 38. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

Also:

S. 70. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Falkenburg and Waggoner:

H. 5. To provide for the definition of death in cases where respiratory and cardiac functions are maintained by artificial means, to further provide that nothing in the Act shall be construed to prohibit a physician from using customary procedures for determining death in other cases, and to make additional provisions pertaining to the determination of death in those cases in which some part of the body is to be donated for transplantation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 5. To the Committee on Health and Welfare.

BILLS ON THIRD READING RESUMED

The Bill:

H. 171. To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

was taken up.

Mr. Owen offered the following substitute for the Bill, H. B. 171, to-wit:

SUBSTITUTE FOR H. B. 171

A BILL
TO BE ENTITLED
AN ACT

To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Con-

stitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative intent. It is the intention of the Legislature by this Act to implement in part the provisions of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended by the constitutional amendment proposed in House Bill No. 170 introduced at the Special Session of the Legislature convened on July 31, 1978, superseding Constitutional Amendment No. 325 and concerning the system of state and local ad valorem taxation provided therein.

Section 2. Amendment of Section 40-8-1. Section 40-8-1, Code of Alabama 1975, is hereby amended to read as follows:

"§ 40-8-1. Assessment rate.

(a) On and after October 1, 1978, Wwith respect to ad valorem taxes levied by the state, and , unless otherwise provided, with respect to ad valorem taxes levied by a county, municipality or other taxing authority other than the state, all taxable property shall be divided into the following classes and no other and shall be assessed for ad valorem tax purposes at the following ratios of assessed value to the fair and reasonable market value of such property, or, as may be provided by law, to the current use value of such property:

Class I. All property of utilities used in the business of such utilities, 30 percent.

Class II. All property not otherwise classified, 25 20 percent.

Class III. All agricultural, forest and residential property, and historic buildings and sites, 15 10 percent.

Class IV. All private passenger automobiles and motor trucks of the type commonly known as "pickups" or "pickup trucks" owned and operated by an individual for personal or private use and not for hire, rent or compensation, 15 percent.

(b) As used herein, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise:

(1) ALL PROPERTY OF UTILITIES. All property assessed for taxation by the department of revenue pursuant to the provisions of chapter 21 of this title.; provided, that after September 30, 1979, and only to the extent

required by Title III, § 306 of Pub. L. 94-210 (the Railroad Revitalization and Regulatory Reform Act of 1976 [codified as 49 U.S.C. § 26c]1), "transportation property," as that term is defined in the aforesaid statute, as heretofore or hereafter amended, or in any subsequent statute of similar import, shall not be assessed as Class I property.

(2) **ALL RESIDENTIAL PROPERTY.** Only real property used exclusively as a single-family dwelling by the owner thereof.

(3) **AGRICULTURAL and FOREST PROPERTY.** All real property used for raising, harvesting and selling crops or for the feeding, breeding, management, raising, sale of or the production of livestock, to include beef cattle, sheep, swine, horses, ponies, mules, poultry, fur-bearing animals, honeybees and fish, or for dairying and the sale of dairy products, or for the growing and sale of timber and forest products, or any other agricultural or horticultural use or animal husbandry or any combination thereof.

(4) **ALL PROPERTY NOT OTHERWISE CLASSIFIED.** All real and personal property which does not fall within any one or both more of Classes I, and III and IV.

(5) **ALL PRIVATE PASSENGER AUTOMOBILES AND MOTOR TRUCKS OF THE TYPE COMMONLY KNOWN AS "PICKUPS" OR "PICKUP TRUCKS" OWNED AND OPERATED BY AN INDIVIDUAL FOR PERSONAL OR PRIVATE USE AND NOT FOR HIRE, RENT OR COMPENSATION.** All private passenger automobiles, as that term is defined in Sections 40-12-240(12) and 40-12-241; and all motor trucks of the type commonly known as "pickups" or "pickup trucks," weighing not exceeding 8,000 pounds.

(6) **HISTORIC BUILDINGS AND SITES.** Regardless of the use to which such property is put, all buildings or structures (i) listed in the National Register of Historic Places or (ii) located in a Registered Historic District and certified by the United States Secretary of the Interior as being of historic significance to the district.

(c) Wherever any statute provides for, limits or measures the power or authority of any county, municipality or other taxing authority to levy taxes, borrow money or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes, such provision shall mean as assessed for county or municipal taxes.

(d) The following property shall be exempted from ad valorem taxation: the real and personal property of the state, counties and municipalities and real and personal property devoted exclusively to religious, education or charitable purposes, also the property of Masonic lodges, Knights of Columbus homes and union halls shall be exempt when used exclusively for the purposes and business of such organizations. All property now exempt by law shall continue to be exempt from taxation until changed by law.

(e) In the following designated counties taxable property shall be assessed at the ratio of assessed value to fair and reasonable market value for each class of property at the rate indicated:

County	Class I	Class II	Class III
Morgan	30%	20%	20%

Limestone	30%	20%	15%
Etowah	30%	20%	15%
Clay	30%	20%	15%
Cleburne	30%	20%	15%
Barbour	30%	15%	15%
Coffee	30%	15%	15%
Bullock	30%	15%	15%
Hale	30%	15%	15%
Wilcox	30%	15%	15%
Monroe	30%	15%	15%
Randolph	30%	15%	15%
Perry	30%	15%	15%
Bibb	30%	15%	15%
Houston	30%	15%	15%
Dale	30%	15%	15%
Henry	30%	15%	15%
Jefferson	30%	25%	20%
Calhoun	30%	25%	15%

Section 3. Assessment ratios for purposes of local taxation. During the ad valorem tax year beginning October 1, 1978, with respect to any ad valorem tax levied by a county, municipality or other taxing authority other than the state, the governing body of any such county, municipality or other taxing authority may at any time, effective for ad valorem tax years beginning on and after October 1, 1978, increase or decrease the ratio of assessed value to the fair and reasonable market value or, as may otherwise be provided by law, to the current use value, as the case may be (herein called "the assessment ratio"), of any class of taxable property within the limits prescribed in the Constitution; provided, that the county, municipality or other taxing authority meets the criteria contained in this Section. If the receipts from any ad valorem tax with respect to which any assessment ratio has been so adjusted by any taxing authority during the ad valorem tax year beginning October 1, 1978, exceed by more than 5 percent, or are less than 95 percent of, the receipts from such ad valorem tax for the ad valorem tax year beginning October 1, 1977, then for the ad valorem tax years beginning on and after October 1, 1979, the taxing authority may adjust any assessment ratio with respect to such ad valorem tax in the manner provided for adjustments made during the ad valorem tax year beginning October 1, 1978. On and after October 1, 1979, the governing body of any county, municipality, or other taxing authority may at any time increase or decrease the assessment ratio applicable to any class of taxable property; provided, that any proposed adjustment to an assessment ratio to be made pursuant to this sentence, whether an increase or a decrease, shall have been (1) proposed by the governing body of the taxing authority after a public hearing on such proposal, (2) thereafter approved by an act of the legislature, and (3) subsequently

approved by a majority vote of the qualified electors residing in the taxing authority who vote on the proposal at a special election called and held in accordance with the law governing special elections; and provided further, that the county, municipality or other taxing authority meets the criteria contained in this Section. In determining whether any assessment ratio applicable to any class of taxable property may be increased or decreased by any such county, municipality or other taxing authority pursuant to this section, the following criteria shall be applied:

(a) If, on any October 1, the total assessed value of all property classified in any one class of taxable property located in the county, municipality or other taxing authority constitutes more than 50% of the assessed valuation of all taxable property in the county, municipality or other taxing authority, the assessment ratio with respect to that class of taxable property may be increased or decreased up to a maximum of 5 per centum differential from the rates set forth in Section 40-8-1(a), Code of Alabama 1975, as amended.

(b) If, on any October 1, the total assessed value of all properties classified in any one class of taxable property located in the county, municipality or other taxing authority constitutes less than 20% of the assessed valuation of all taxable property in the county, municipality or other taxing authority, the assessment ratio with respect to that class of taxable property may be increased up to a maximum of 5 per centum differential from the rates set forth in Section 40-8-1(a), Code of Alabama 1975, as amended.

(c) If, on any October, the total assessed value of all properties classified in any one class of taxable property located in the county, municipality or other taxing authority constitutes more than 75% of the assessed valuation of all taxable property in the county, municipality, or other taxing authority, the assessment ratio with respect to that class of taxable property may be increased or decreased up to a maximum of 5 per centum differential, and each assessment ratio of properties classified in any class of taxable property other than the aforementioned class of taxable property may be increased up to a maximum of 5 per centum differential, from the rates set forth in Section 40-8-1(a), Code of Alabama 1975, as amended.

Any action authorized by this section to be taken by a taxing authority, or the governing body thereof, shall, if there is no such governing body, be taken by resolution of the governing body of the county in which such taxing authority is located acting on behalf of such taxing authority.

Section 4. Each taxpayer who was assessed and who paid a higher amount of state, county or municipal ad valorem tax as a result of the completion of a county-wide property reappraisal, and the implementation of the newly appraised property values as the tax base in that county, between October 1, 1975 and the effective date of this Act shall be entitled to a credit against his tax liability arising under the same tax or taxes, in the amount of the increase which resulted from said reappraisal, to be used during such tax year or years as the taxpayer elects until the credit is exhausted.

Section 45. Repealer. All laws and parts of laws that are in conflict with any of the provisions of this Act are, to the extent of such conflict, repealed.

Section 56. Severability. If any portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining portions of this Act, which shall continue effective.

Section 67. Effective Date. This Act shall become effective upon the adoption of an amendment to Article XI, Section 217, Constitution of Alabama of 1901, as amended, proposed in House Bill No. 170 introduced at the Special Session of the Legislature of Alabama convened on July 31, 1978.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—31

Nays:

—0

Mr. Noonan offered the following amendment to the Bill, H. B. 171, as amended by the substitute, to-wit:

AMENDMENT TO H. 171 (AS AMENDED)

On page 2, line 35, strike the number "30" and insert in lieu thereof the following number:

25

On motion of Mr. Owen, said amendment was laid on the table.

And said Bill, H. B. 171, as thus amended by the substitute, was read a third time at length and passed.

Yeas 28; Nays 3.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—28

Nays:

Messrs. Clemon, Edwards, McDonald (S).

—3

The Bill:

H. 172. To provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such

property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the department of revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 172, to-wit:

COMMITTEE AMENDMENT TO H. B. 172

Amend H. B. 172, line 8, on page three by the deletion of "quote" mark after the period and by the addition of the following after the period:

Notwithstanding the above, all property under lease as of the effective date of this Act which lease does not provide for a direct passthrough of property taxes to the lessee shall be appraised solely on the basis of the economic net return to the owner."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Goodwin, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—30

Nays:

—0

And said Bill, H. B. 172, as thus amended, was read a third time at length and passed.

Yeas 31; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Goodwin, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—31

Nay: Mr. Clemon.

—1

The Bill:

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties,

municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of less than \$700,000.00 at each place of business of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 173, to-wit:

COMMITTEE AMENDMENT TO H. B. 173

Amend H. B. 173 by removing the House amendment which amends title of bill to limit the inventory exemption to \$700,000.00

Which was adopted.

Yeas 28; Nays 3.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Peden, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—28

Nays:

Messrs. Edwards, Noonan, Perry.

—3

And said Bill, H. B. 173, as thus amended, was read a third time at length and passed.

Yeas 29; Nays 3.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Perry, Proctor, Roberts, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—29

Nays:

Messrs. Clemon, Edwards, Pearson.

—3

The Bill:

H. 174. To exempt homesteads of persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind, from all ad valorem property taxes levied by the state of Alabama; to exempt principal residences of persons over 65 years of age or who are totally disabled from all ad valorem taxation in the state; to amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975; and to provide an effective date for the act.

was taken up.

Mr. Edwards offered the following amendment to the Bill, H. B. 174, to-wit:

AMENDMENT TO H. B. 174

Amend House Bill No. 174, Page 3, Line 11, by adding the following sentence:

"In order to qualify for exemption under this section such principal residence must be a single-family residence owned and occupied by a person qualifying under this section."

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Roberts, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—32

Nays:

—0

Mr. McDonald (A) offered the following amendment to the Bill, H. B. 174, as amended, to-wit:

AMENDMENT TO H. B. 174, AS AMENDED

Amend Section 2 of House Bill 174 by adding after the word "older" on Line 30, page 2 the following words and figures:

"having a net annual taxable income of \$7500.00 or less, as shown on such person and spouse's latest United States Income Tax return."

Also further amend Section 2 by adding after the word "older" on Line 37, page 2 the following words and figures:

"having a net annual taxable income of \$7500.00 or less, as shown on such person and spouse's latest United States Income Tax Return."

Which was adopted.

Yeas 26; Nays 2.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (a), McDonald (A), Mims, Mitchell, Owen, Perloff, Perry, Powell, Proctor, St. John, Shelby, Teague, Waldrop.

—26

Nays: Messrs. McMillan, Wilson.

—2

And said Bill H. B. 174, as thus amended, was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—31

Nays:

—0

The Bill:

H. 175. To exempt homesteads from all ad valorem property taxes levied by any county of the State of Alabama; to specify the amount of such exemption and the taxpayers eligible to claim such exemption; to provide a greater homestead exemption for persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind; and to provide an effective date for the act.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Teague, Vacca, Waldrop, Wilson.

—31

Nays:

—0

The Bill:

H. 146. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bona fide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and award of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periodic auditing of approved institutions; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to provide for severability; to repeal conflicting laws; and to provide an effective date.

Was read a third time at length and passed.

Yeas 28; Nays 5.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Wilson.

—28

Nays:

Messrs. Baker, Edwards, Little, Peden, Waldrop.

—5

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Waggoner:

H. J. R. 71. NAMING THAT SECTION OF U.S. HIGHWAY 31 WITHIN THE CITY LIMITS OF ALABASTER, "THE BARRY DURRETT MEMORIAL HIGHWAY."

WHEREAS, the Legislature of Alabama has grievously noted the tragic and untimely death of young Barry Daniel Durrett on July 12, 1978, at the early age of 15; and

WHEREAS, Barry Durrett, son of Mr. and Mrs. James Durrett, was born December 9, 1962, in Gadsden, Alabama, but for most of his life, he was a resident of Alabaster in Jefferson County; and

WHEREAS, young Barry was a victim of cancer and although he succumbed to the ravages of this dread disease, he fought valiantly for his life with courage and maturity far beyond his years and with bravery that can only serve as a shining example to others faced with adversity in life; and

WHEREAS, an "A" honor student at Thompson High School in Alabaster, Barry was an avid sports fan and was also a member of his school's football team; his school friends were countless in number as were those he joined in worship at the Surlia Baptist Church to which he belonged; and

WHEREAS, he is survived by his parents, his brother, Greg, and by his grandmothers, Mrs. Annie Durrett and Mrs. Artie Bradley, with whom we deeply share the sorrow of their great loss; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in cherished memory of Barry Daniel Durrett, this body hereby names and designates that section of U.S. Highway 31 within the city limits of Alabaster, Jefferson County, Alabama, "The Barry Durrett Memorial Highway."

BE IT FURTHER RESOLVED, That the proper authorities are hereby

authorized and directed to erect and maintain appropriate signs and markers so designating said highway as "The Barry Durrett Memorial Highway."

RESOLVED FURTHER, That a copy of this resolution be sent to Mr. and Mrs. James Durrett as but a token of this commemorative designation honoring their beloved son, Barry.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 71, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 21. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

Also:

S. 36. To amend Section 11 of Act No. 584, H. 426 of the 1978 Regular Session, approved April 27, 1978, which section sets the number of session days for the various counties, so as to eliminate a duplication for Geneva County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 10. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 5. EXPRESSING THE CONCERN OF THE ALABAMA LEGISLATURE, AND WISHING JAN BIDDLE A SPEEDY RECOVERY FROM SURGERY.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1. Relating to the City of Gadsden, providing for the fixing and payment of salaries of members of the board of commissioners.

Also:

H. 3. Relating to Clarke County; to provide that incorporated municipalities within the county may donate public funds to the Clarke County Association for Retarded Citizens.

Also:

H. 17. Relating to DeKalb County; authorizing the county commission and the governing bodies of the several incorporated municipalities in said county to make appropriations and expenditures from their respective general funds for the maintenance and support of certain rescue squads operating within said county.

Also:

H. 20. Relating to the City of Mobile; to amend the title and Sections 2, 4 and 5 of Act No. 421, 1971 Regular Session (Acts of 1971, p. 1153), so as to provide preservation districts.

Also:

H. 23. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the additional bonds to counties, municipalities, and municipal and county industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell its bonds for the purpose of making these grants; to provide that the bonds and the income therefrom shall be exempt from taxation, that the bonds may be used to secure deposits of funds of the State and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama,

the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the State; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds; to make appropriations and pledges of funds from the taxes levied by sections 40-25-2 and 40-25-41, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that all principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

H. 24. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Also:

H. 25. Relating to Pickens County, Alabama, authorizing payment of expense allowances to members of the county governing body.

Also:

H. 26. Relating to Greene County; authorizing compensation for clerical assistance for the Tax Assessor and Tax Collector of Greene County and providing payment of such compensation out of county funds.

Also:

H. 35. To provide the Circuit Judge of the 36th Judicial Circuit authority to expend public funds for certain purposes in connection with his offices and official duties.

Also:

H. 40. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to annex certain territory to the City of Anniston.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 41. To authorize Calhoun County and municipalities therein which undertake to provide public programs or services related to animal control to establish and collect necessary fees, charges and rates, and to enter contracts with other governmental or private agencies for the operation and maintenance of such programs or services.

Also:

H. 42. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to include within the corporate limits of said City the following described parcels of land.

Also:

H. 43. Relating to Calhoun County; providing additional revenue in Calhoun County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Title 40, Chapter 26 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

Also:

H. 45. Relating to Escambia County; to provide for the compensation of the sheriff and all deputies sheriff other than the chief deputy sheriff in such county.

Also:

H. 50. Relating to Winston County; to provide for the disposition of the proceeds of any coal and lignite severance tax distributed to the county by the state.

Also:

H. 51. To amend Section 9-16-34, Code of Alabama 1975, the "Alabama Surface Mining Reclamation Act of 1975," so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer certain provisions of the Federal Initial Regulatory Program for a certain period of time, and to retain certain constitutional powers to the state.

Also:

H. 52. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

Also:

H. 53. Relating to Mobile County; to prohibit motorcross racing within one-half mile ($\frac{1}{2}$) of any occupied dwelling without the written consent of the occupant of such dwelling and to provide that the violation thereof shall be a

Class C misdemeanor as defined by Act 607, S. 33, 1977 Regular Session (Acts 1977, p. 812).

Also:

H. 54. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Also:

H. 57. To amend and re-enact Act No. 818, H. 1114, of the 1978 Regular Session, so as to provide further for the regulation of the sale of alcoholic beverages in Houston County by eliminating the requirement for a city alcoholic beverage license for the sale of spirituous or vinous liquors in said county; to provide that alcoholic beverages may be sold, served or given away by a licensee until 2:00 a.m. on Sunday morning; to further provide that there shall be no restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Also:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

Also:

H. 76. To amend Section 16 of Act 89, H. 234, Regular Session 1939 (Local Acts 1939, p. 47), creating the Municipal Utilities Board of Decatur so as to provide further for the procedure governing the expenditure of the funds of said board.

Also:

H. 77. Relating to Winston County; to provide an expense allowance for the circuit clerk and to give this act retroactive effect to January 1, 1978.

Also:

H. 78. Relating to Marion County; to provide an additional expense allowance for members of the county board of education.

Also:

H. 44. Proposing an amendment to the constitution of Alabama which grants certain powers and authority to the governing body of the City of Anniston relating to the acquisition and development of industrial parks.

Also:

H. 70. To propose an amendment to the Constitution of Alabama to authorize the governing body of Montgomery County to establish and maintain firefighting districts within such county; to enter into agreements with volunteer fire departments within such county for fire protection and services; to set fees for fire protection services and to prescribe the manner of collection and distribution of such fees.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 129. To fix the compensation for every district court or circuit court or grand jury bailiff in the Thirteenth Judicial Circuit and to provide for payment of a certain portion thereof by the county in which such bailiffs serve.

Also:

H. 132. Relating to Henry County, Alabama, only; to provide for compensation and expense allowance for the Coroner of said county.

Also:

H. 137. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Tax Equalization of Henry County.

Also:

H. 147. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Babbie in Covington County, Alabama, so as to annex certain territory to the Town of Babbie, in Covington County, Alabama.

Also:

H. 150. To vest regulatory authority over hazardous waste management in the State Board of Health: to authorize the Board to accept and administer lands to be used as disposal sites for hazardous wastes; to vest perpetual responsibility for such sites in the State; to establish the Hazardous Wastes Technical Advisory Committee; to place certain responsibilities for hazardous waste management upon the Board; to empower the Board to develop and revise criteria for identifying hazardous wastes and to list such wastes; to empower the Board to adopt and revise rules and regulations, guidelines, criteria and standards; to require permits for hazardous waste management practices and establish procedures for such permitting; to require generators of hazardous wastes to dispose of such wastes in an approved manner; to place certain responsibilities upon generators of hazardous wastes, transporters of hazardous wastes and operators of hazardous waste storage and treatment facilities and disposal sites; to require the use of a manifest; to require the reporting of hazardous wastes generated by the generator; to provide for penalties and remedies; to provide for administration and enforcement; to allow appeal; and to establish the Hazardous Waste Management Fund and to make appropriations therefrom.

Also:

H. 152. Relating to Sumter County; to authorize the county commission to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor; such clerks to be appointed for a term and paid an amount established by the said county commission; and providing for an expiration date of such authority.

Also:

H. 154. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Livingston, in Sumter County.

Also:

H. 156. Relating to Coffee County; regulating and providing for the compensation of election officers.

Also:

H. 164. To provide for distinctive motorcycle license plates for Shrine motorcycle club, corps or unit members; to provide for the design of such license plate; and to provide a procedure for issuance thereof.

Also:

H. 166. To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session 1978, to provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 83. Relating to Tallapoosa County; to amend Section 1 of Act No. 487, S. 628, Regular Session 1969 (Acts of 1969, p. 948), entitled "Relating to Tallapoosa County; to regulate further the compensation and expense allowances of members of the county governing body", so as to increase the salary of the members of the county commission.

Also:

H. 85. Relating to Madison County; to permit persons to make returns of taxable property for ad valorem tax purposes, whether real or personal, by mail or by an authorized agent.

Also:

H. 86. Relating to Tallapoosa County; to provide a mileage allowance for the members of the County Board of Registrars.

Also:

H. 87. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Warrior, in Jefferson County, Alabama, so as to include within the corporate limits of said municipality certain additional territory.

Also:

H. 92. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Also:

H. 102. To repeal Act No. 257, H. 852, 1977 Regular Session (Acts of 1977, p. 339), entitled, "An Act Relating to Baldwin County, to provide for the creation, incorporation, organization, operation, administration, and financing of one or more local public service districts within the county as public corporations so as to provide local fire fighting and prevention services; to provide for the fixing, levy and collection by such fire districts of rates, fees and charges for such services; to provide penalties for non-payment and liens upon the property within such districts; to provide for the borrowing of money and issuance of bonds and other obligations by or on behalf of such fire districts; providing that the qualified electors of any prospective fire district shall give their prior approval to the creation of any such district as well as the rates, fees, charges, bond or other indebtedness thereto in an election thereon; to provide an election procedure for such voter approval; to prescribe the organization, rights, powers and duties of such districts; to prescribe limitations on such rights and powers, and to repeal conflicting laws."

Also:

H. 105. To amend section 36-27-7.1, Code of Alabama 1975, so as to

provide further for the partial participation of certain retired employees of the cooperative extension service of Auburn University in the state employees' retirement system under the provisions of section 36-27-7, Code of Alabama 1975, upon such employees making a certain contribution to the state employees' retirement system.

Also:

H. 106. Relating to Lauderdale County; to authorize the Lauderdale County Board of Education to make discretionary expenditures from Lauderdale County public school funds for certain school purposes.

Also:

H. 111. Relating to Calhoun County; relating to the license commissioner; providing that the commissioner of license shall be elected, commencing with the term of office in 1981 and setting the salary of such officer; providing for the conduct and manner of such election; and repealing the title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer.

Also:

H. 112. To amend and reenact Act No. 532, S. 713, 1978 Regular Session, which relates to salaries and expense allowances for certain officials of Calhoun County, so as to provide further for the salary and expense allowance of the coroner.

Also:

H. 115. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks.

Also:

H. 118. To alter and rearrange the boundaries of the Town of Ariton, Dale County, Alabama, so as to annex and include within the corporate limits thereof, the territory hereinafter described.

Also:

H. 122. Relating to Marengo County; to repeal Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which act regulates the compensation of the sheriff of said county.

Also:

H. 123. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Also:

H. 127. To provide for the establishment of a reserve state trooper force and places said reserve state troopers under the direction of the director of the Department of Public Safety or a member of the Alabama State Troopers and provides said reserve state troopers with the authority to carry firearms when summoned by the Department of Public Safety.

Also:

H. 124. Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts for fire protection services.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 56. To amend the City of Dothan Pension and Retirement System by Act No. 103, Regular Session of the Alabama Legislature approved June 18, 1953 and amended by Act No. 424, Regular Session of the Alabama Legislature approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature approved July 12, 1971; Act No. 78, Regular Session of the Alabama Legislature approved July 25, 1975; Act No. 543, 1977 Regular Session, Alabama Legislature approved May 11, 1977.

Also:

H. 138. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 79. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and farming facilities when such businesses come within the same circumstances.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Waggoner:

H. J. R. 73. NAMING THE ACT WHICH H. 146 OF THE 1978 SECOND SPECIAL SESSION BECOMES, WHICH ACT ESTABLISHES THE ALABAMA STUDENT GRANT PROGRAM, "THE CALLAHAN-OWEN ACT."

WHEREAS, Representative H. L. "Sonny" Callahan and Senator L. D. "Dick" Owen, Jr., worked long and diligently for the passage of H. 146 in the 1978 Second Special Session, which bill established the Alabama Student Grant Program; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the act which H. 146 of the 1978 Second Special Session becomes shall be known as "The Callahan-Owen Act."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 73, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Owens:

H. J. R. 72. STATING THE ALABAMA LEGISLATURE'S APPROVAL AND FULL SUPPORT OF THE ALABAMA SUNBELT CONFERENCE.

WHEREAS, continuing and concerted efforts on the part of congressional delegations from the northeast and midwest regions of the United States, if successful, will bring about the adoption of legislation that will discriminate against the economies of other of our nation's regions in the allocation of federal funds; and

WHEREAS, to counter this drive by northeast-midwest coalitions, the National Economic Research Institute was organized to analyze and study legislation in all areas vital to Alabama's economy and that of all sunbelt states; and

WHEREAS, the establishment of the Alabama Sunbelt Conference, to work in cooperation with the National Economic Research Institute and other coalitions of interested southern and western states, will create a broad based organization in Alabama to aid our Congressional Delegation in their actions to protect the economy of our state and region at the federal level; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do fully approve and strongly support the establishment of the Alabama Sunbelt Conference and its efforts to assist in the compilation of information, and dissemination of same to state and private agencies, to ensure fair and equitable treatment of our state and of all regions of the nation by the Congress and federal administration in the allocation of federal funds.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented at the upcoming Alabama Sunbelt Conference, August 31, 1978, at the Montgomery Civic Center in Montgomery, Alabama, with copies provided also for all members of the Alabama Congressional Delegation in Washington, D.C.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 72, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MOTION TO RECONSIDER

Mr. Goodwin moved that the Senate reconsider the vote by which the Bill, H. B. 146, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

RECESS

At 5:55 P.M., on motion of Mr. Perry, the Senate took a recess until 6:49 this evening.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Gafford:

H. 30. To amend Section 40-9-1 of the 1975 Code of Alabama, as

amended, so as to exclude from ad valorem taxes certain improvements or additions to property for 10 years or until the property is sold.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 30. To the Committee on Finance and Taxation.

FURTHER CONSIDERATION OF H. B. 170

The Senate proceeded to further consideration of the Bill, H. B. 170, as amended.

The question was on the substitute offered by Mr. Baker, and on motion of Mr. Owen, said substitute was laid on the table.

Yeas 20; Nays 8.

Yeas:

Messrs. Adams, Bank, Foshee, Goodwin, Higginbotham, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Roberts, Shelby, Vacca, Waldrop, Wilson.

—20

Nays:

Messrs. Baker, Clemon, Edwards, Fine, McDonald (S), Peden, St. John, Stewart.

—8

And said Bill, H. B. 170, as amended, was read a third time at length and passed.

Yeas 29; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Foshee, Goodwin, Higginbotham, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Perry, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—29

Nay: Mr. Clemon.

—1

Mr. Perry moved that the Senate reconsider the vote by which the Bill, H. B. 170, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as House Bill No. 10 introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded. Nothing in this act shall be used to increase the prison population of Elmore or Escambia Counties.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Messrs. Clemon, Pearson, and McMillan offered the following Senate Resolution, to-wit:

S. R. 36. MOURNING THE DEATH OF MR. IVA B. WILLIAMS OF BIRMINGHAM, ALABAMA.

WHEREAS, the Legislature of Alabama has grievously noted the death of Mr. Iva B. Williams in Birmingham, Alabama, on August 30, 1978; and

WHEREAS, Mr. Williams served for many years as band director at Miles College; widely acclaimed as an outstandingly talented musician, he also was director of the "Collegians", a well-known band that entertained through the years at literally thousands of social functions both on and off campus; and

WHEREAS, in addition to his music-related duties, Iva Williams further served in the position of Superintendent of Buildings and Grounds at the college; and

WHEREAS, he was unquestionably one of the all-time favorite officials of Miles College and his death has left a void in the lives and hearts of faculty, staff and students who are deeply grieved in their great loss; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That we have been deeply saddened by the death of Mr. Iva B. Williams, former Miles College official, and extend our most heartfelt sympathy to his family and many friends with whom we share the sorrow of his loss.

BE IT FURTHER RESOLVED, That his widow, Mrs. Iva B. Williams, receive a copy of this resolution as a token of our abiding concern for her in her time of great sorrow.

On motion of Mr. Clemon, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 131. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1979, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Goodwin, Higginbotham, Jones, King, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, St. John, Shelby, Stewart, Vacca, Wilson.

—27

Nays:

—0

The Bill:

H. 19. To transfer certain monies previously appropriated to the use of the Department of Conservation and Natural Resources for the repair of the dam at Chattahoochee State Park to the use of the said department for the purpose of Parks Fund.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Goodwin, Higginbotham, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Peden, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—27

Nays:

—0

RESOLUTION

Mr. Ellis offered the following Senate Resolution, to-wit:

S. R. 37. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO H. B. 65.

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, THAT we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court or a majority of them, to give this body their written opinions on the following important constitutional ques-

tion which has arisen concerning the pending bill, H. B. 65, a copy of which is attached to this resolution and made a part hereof by reference:

Is the redistribution of Tennessee Valley Authority funds and alcoholic beverage revenues within the same bill in violation of Section 45 of the Constitution of Alabama 1901?

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send five true copies of the pending bill, H. B. 65, to the Clerk of the Supreme Court of Alabama, and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

Which was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF S. B. 49

The Senate proceeded to further consideration of the Bill, S. B. 49.

The question was on the motion of Mr. Goodwin, that the Senate concur in the House amendment to the Bill, S. B. 49.

Mr. Goodwin requested and received unanimous consent to withdraw said motion.

Mr. Goodwin then moved that the Senate non-concur in the House amendment to the Bill, S. B. 49, and request a Committee on Conference, which motion was adopted.

Yeas 19; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Foshee, Goodwin, Higginbotham, King, Mitchell, Noonan, Owen, Peden, Perloff, Powell, Shelby, Stewart, Vacca, Waldrop.

—19

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Messrs. Goodwin, Vacca, and King.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 1. To authorize Alabama Public School and College Authority to sell and issue two hundred and twenty million three hundred and twenty-five thousand (\$220,325,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for

payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Also:

S. 21. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

Also:

S. 36. To amend Section 11 of Act No. 584, H. 426 of the 1978 Regular Session, approved April 27, 1978, which section sets the number of session days for the various counties, so as to eliminate a duplication for Geneva County.

Also:

S. 38. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

Also:

S. 39. To appropriate from the Special Educational Trust Fund the sum of \$12,000,000.00 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama. To conditionally appropriate from the Special Educational Trust Fund the sum of \$6,000,000 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama., and for the University of Montevallo \$400,000.00.

Also:

S. 52. To exempt the Grand Chapter of the all Order of the Eastern Star and the South Alabama State Fair Association, Southeastern Livestock

Exposition of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

Also:

S. 70. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

Also:

S. 79. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and farming facilities when such businesses come within the same circumstances.

U. W. CLEMON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT FROM RULES

Mr. Clemon, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mrs. Frankie F. Smith to the Board of Trustees of Alabama A. & M. University.

On motion of Mr. Noonan, the appointment of Mrs. Smith to the Board of Trustees of Alabama A. & M. University was confirmed by the Senate.

Yeas 29; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Higginbotham, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Proctor, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—29

Nays:

—0

RESOLUTION

Mr. Clemon offered the following Senate Joint Resolution, to-wit:

S. J. R. 38. NAMING SENATE BILL 1 THE OSCAR RAY PEDEN ACT.

WHEREAS, the Honorable Oscar Ray Peden, State Senator, from the 1st District, has worked diligently and faithfully for the passage of Senate Bill 1; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Senate Bill 1 shall be known as the Oscar Ray Peden bill and that the Legislature of Alabama wishes to express deep appreciation for his efforts in obtaining passage of this bill through both houses of the Alabama Legislature.

On motion of Mr. Clemon, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bills:

H. 172. To provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the department of revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act.

Also:

H. 170. To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 6. COMMENDING THE GEORGE C. MARSHALL SPACE

FLIGHT CENTER FOR ITS NOTABLE ACHIEVEMENTS IN THE FURTHERANCE OF OUR NATION'S SPACE PROGRAM.

Also:

H. J. R. 7. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

Also:

H. J. R. 8. HONORING MR. ELVIN HILL, SHELBY COUNTY SUPERINTENDENT OF SCHOOLS.

Also:

H. J. R. 9. OPPOSING A CONSERVATION ADVISORY BOARD PROPOSAL TO DEPRIVE LANDOWNERS OF THEIR INHERENT AND HISTORIC RIGHTS TO CONTROL TRAPPING ON THEIR OWN LAND.

Also:

H. J. R. 11. MOURNING THE DEATH OF MR. HAROLD O. GLASS, PROMINENT ALABAMA BANKER AND CIVIC LEADER.

Also:

H. J. R. 12. COMMENDING MAYOR WILLIAM H. TUCK, WINNER OF THE 1977 DAVID M. COCHRANE AWARD.

Also:

H. J. R. 15. HONORING DR. CHARLES W. DAVIS, MINISTER, MISSIONARY AND EDUCATOR.

Also:

H. J. R. 17. MOURNING THE DEATH OF MRS. LINNIE WIGGINS NEWMAN, NOTABLE GOSPEL SINGER OF LAMAR COUNTY, ALABAMA.

Also:

H. J. R. 19. CONGRATULATING AND COMMENDING MARS HILL BIBLE SCHOOL, STATE 1A BASEBALL CHAMPIONS.

Also:

H. J. R. 22. URGING POSTMASTER GENERAL WILLIAM BOLGER'S RECOMMENDATION TO THE CITIZENS STAMP ADVISORY COMMITTEE THAT A COMMEMORATIVE STAMP BE ISSUED IN HONOR OF THE RACING PIGEON.

Also:

H. J. R. 24. HONORING MR. J. C. "CLIFF" HARPER, SOUTHEASTERN CONFERENCE ASSOCIATE COMMISSIONER, EMERITUS, DESIGNATE.

Also:

H. J. R. 25. COMMENDING AUBURN UNIVERSITY, SOUTHEASTERN CONFERENCE ALL SPORTS TROPHY WINNER.

Also:

H. J. R. 42. Resolution mourning the death of Alfred F. Delchamps.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 43. NAMING THE INDUSTRIAL TRAINING CENTER TO BE CONSTRUCTED AT BESSEMER STATE TECHNICAL COLLEGE, "MILLSAP INDUSTRIAL TRAINING CENTER."

Also:

H. J. R. 44. NOTING THE OCCASION OF MR. OSCAR VANN SHIRLEY'S 102ND BIRTHDAY.

Also:

H. J. R. 45. COMMENDING DONALD L. MARTIN, ALABAMA'S RESCUE SQUAD WORKER OF THE YEAR.

Also:

H. J. R. 46. COMMENDING MRS. JO MARSHALL, SPONSOR OF PI PI CHAPTER OF PHI THETA KAPPA AND ADVISOR FOR THE ALABAMA REGION OF PHI THETA KAPPA.

Also:

H. J. R. 50. HONORING MR. WILLIAM H. G. "BILL" FRANCE, FOUNDER OF THE ALABAMA INTERNATIONAL MOTOR SPEEDWAY.

Also:

H. J. R. 54. COMMENDING THE HUNTSVILLE CITY SCHOOL SYSTEM AND THE ED WHITE MIDDLE SCHOOL.

Also:

H. J. R. 56. MOURNING THE DEATH OF MR. FAY E. GUYTON, FORMER AUBURN UNIVERSITY PROFESSOR.

Also:

H. J. R. 57. COMMENDING MR. MARK JONES ON RECENT HONORS RECEIVED.

Also:

H. J. R. 58. CONGRATULATING THE SHELBY COUNTY NEWS, AWARD RECIPIENT OF THE ALABAMA PRESS ASSOCIATION.

Also:

H. J. R. 59. COMMENDING MR. FRED COOPER, COLUMNIST WITH THE SHELBY COUNTY NEWS.

Also:

H. J. R. 60. COMMENDING MISS JULIE HOUSTON, MISS ALABAMA 1977.

Also:

H. J. R. 61. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLEBURNE COUNTY.

Also:

H. J. R. 62. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLAY COUNTY.

Also:

H. J. R. 64. NAMING THE AUTO PARTS TRAINING CENTER AT BESSEMER STATE TECHNICAL COLLEGE, "LANIER AUTO PARTS TRAINING CENTER."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 71. NAMING THAT SECTION OF U.S. HIGHWAY 31 WITHIN THE CITY LIMITS OF ALABASTER, "THE BARRY DURRETT MEMORIAL HIGHWAY."

Also:

H. J. R. 73. NAMING THE ACT WHICH H. 146 OF THE 1978 SECOND SPECIAL SESSION BECOMES, WHICH ACT ESTABLISHES THE ALABAMA STUDENT GRANT PROGRAM, "THE CALLAHAN-OWEN ACT."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 19. To transfer certain monies previously appropriated to the use of the Department of Conservation and Natural Resources for the repair of the dam at Chattahoochee State Park to the use of the said department for the purpose of Parks Fund.

Also:

H. 131. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1979, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Also:

H. 146. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bona fide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and award of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periodic auditing of approved institutions; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to provide for severability; to repeal conflicting laws; and to provide an effective date.

Also:

H. 175. To exempt homesteads from all ad valorem property taxes levied by any county of the State of Alabama; to specify the amount of such

exemption and the taxpayers eligible to claim such exemption; to provide a greater homestead exemption for persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind; and to provide an effective date for the act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as House Bill No. 10 introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to require those bonds so refunded. Nothing in this act shall be used to increase the prison population of Elmore or Escambia Counties.

Also:

H. 10. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been

publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen of the Senate:

I herewith transmit to you a Message from the Governor.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

Done this 4th day of August 1978.

Gentlemen of the Senate:

I strongly urge you to give your consideration to and confirmation of numerous gubernatorial appointments that I have transmitted to you during this special session. As of this late hour, you have chosen not to act regarding these confirmations. Your failure to act is an affront to some of our state's most outstanding citizens.

Included among the appointments are names of individuals currently rendering outstanding service to Alabama as members of boards of trustees at our universities and other important boards and commissions.

I especially urge you to give your confirmation to the appointees to the State Ethics Commission: Dr. George Bagley of Montgomery and Dr. Leslie Wright of Birmingham.

Dr. Bagley and Dr. Wright have served this State with honor and distinction and possess, in my opinion, integrity beyond question. They are truly two of our state's finest. It is beyond my comprehension that you could fail to give rapid confirmation to their appointments to this important commission.

Dr. Bagley and Dr. Wright subscribe to the highest of ethical standards in government and I feel certain that most of the members of this legislative body also emulate those same high standards of Dr. Bagley and Dr. Wright.

Again, I strongly urge you to act upon these confirmations before this day passes.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and ordered spread upon the Journal.

RESOLUTIONS

Mr. Adams offered the following Senate Joint Resolution, to-wit:

S. J. R. 39. COMMENDING WILLIAM A. JACKSON FOR HIS OUTSTANDING SERVICE AS LEGAL ADVISOR TO THE GOVERNOR.

WHEREAS, William A. Jackson was appointed legal advisor to the Governor on May 22, 1972, and has served continuously in that position until the present; and

WHEREAS, William A. Jackson, known to this Legislature and all his many friends merely as "Bill", is a man of deep insight, keen discrimination, and rare judgment; and

WHEREAS, we have all enjoyed working with Bill during this period and have found him to be most generous of his time and talent when we came to him for advice; and

WHEREAS, he has been a most successful liaison man between the Governor's Office and the Legislature, who was always willing to listen to our problems and concerns; and

WHEREAS, we have found him to be a man of integrity and dignity, loyal to his friends and to his Governor, and dedicated in his sense of duty and responsibility to the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to express its sincere appreciation to the Honorable William A. "Bill" Jackson for his valuable assistance to this Legislature and for his loyal and faithful service to the Governor and to the people of Alabama, and we do wish him well in all his future endeavors.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to our good friend, Bill Jackson.

On motion of Mr. Adams, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Adams offered the following Senate Resolution, to-wit:

S. R. 40. COMMENDING WILLIAM A. JACKSON FOR HIS OUTSTANDING SERVICE AS LEGAL ADVISOR TO THE GOVERNOR.

WHEREAS, William A. Jackson was appointed legal advisor to the Governor on May 22, 1972, and has served continuously in that position until the present; and

WHEREAS, William A. Jackson, known to this Legislature and all his many friends merely as "Bill", is a man of deep insight, keen discrimination, and rare judgment; and

WHEREAS, we have all enjoyed working with Bill during this period and have found him to be most generous of his time and talent when we came to him for advice; and

WHEREAS, he has been a most successful liaison man between the Governor's Office and the Legislature, who was always willing to listen to our problems and concerns; and

WHEREAS, we have found him to be a man of integrity and dignity, loyal to his friends and to his Governor, and dedicated in his sense of duty and responsibility to the State of Alabama; now therefore,

BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, That this body wishes to express its sincere appreciation to the Honorable William A. "Bill" Jackson for his valuable assistance to this Legislature and for his loyal and faithful service to the Governor and to the people of Alabama, and we do wish him well in all his future endeavors.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to our good friend, Bill Jackson.

On motion of Mr. Adams, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 24. COMMENDING COACH JIM GLOVER ON HIS OUTSTANDING CAREER.

JOHN W. PEMBERTON,
Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 56

We, your Committee on Conference, appointed to reconcile the differences between the two Houses on the Bill, Senate Bill 56, beg leave to report as follows:

That the House of Representatives and the Senate of Alabama adopt the accompanying Conference substitute.

HUGH MERRILL,
JAMES SASSER,
RICHARD MANLEY,
Conferees on part of the House.
L. D. OWEN, JR.,
J. RICHMOND PEARSON,
G. J. HIGGINBOTHAM,
Conferees on part of the Senate.

CONFERENCE COMMITTEE SUBSTITUTE FOR S. B. 56

A BILL TO BE ENTITLED AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1979 and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 8, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Outlay" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment-Other than Automotive" shall mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment" shall mean those items of motor vehicle equipment only and the money appropriated therefore shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1979 and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 4, Chapter 4, Title 41 of the Code of Alabama 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Federal and Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 3.

A. STATE AGENCIES

1. Council on the Arts and Humanities

(a) Fine Arts Program	914,098
(b) Birmingham Symphony	95,000

(c) Alabama Shakespeare Festival			2,500
Source of Funds:			
(1) ASETF	397,500		
(2) Federal and Local Funds		<u>614,098</u>	
Total Council on the Arts and Humanities	397,500	614,098	1,011,598
2. Debt Service			871,044
(a) For the payment of principal and interest due on bonds issued by the University of Alabama Research-Institute pursuant to Constitutional Amendment No. CLVII	211,300		
(b) Interest on Endowments:			
For interest on University of Montevallo (Alabama College) Endowment, Estimated	45,000		
For interest on Auburn University Endowment	20,280		
For interest on University of Alabama Endowment	61,000		
For interest on Grove Hill Endowment	600		
For interest on Public School Fund Endowment:			
Interest on 16th Section lands, Estimated	410,000		
Interest on School Indemnity lands, Estimated	90,000		
Interest on Valueless 16th Section lands	5,825		
Interest on Surplus plus Revenue	26,764		
Interest on James Wallace Fund	<u>275</u>		
Total	659,744		
SOURCE OF FUNDS:			
(1) ASETF	<u>871,044</u>		
Total Debt Service	871,044		871,044
3. Board of Dental Scholarship Awards			
(a) Support of Other Educational Activities Program			228,000

SOURCE OF FUNDS:

(1) ASETF	228,000	
Total Board of Dental Scholarship Awards	228,000	228,000
(To be expended under the provisions of Act No. 662, 1977 Regular Session.)		

4. Department of Education

(a) Financial Assistance Program	227,074,395
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The proposed spending plan for the above is as follows:

Vocational Education and Other Financial Assistance Programs 48,503,717

(\$300,000 is to be used for Agribusiness Center)

SOURCE OF FUNDS:

(1) ASETF	48,503,717		
(2) Federal and Local Funds		178,570,678	
Total Financial Assistance Program	48,503,717	178,570,678	227,074,395

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon recommendation of the State Superintendent.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula. Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institution for contractual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1979, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional prorata salary increase.

(b) Instructional Technical Assistance Program	7,231,665
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The proposed spending plan for the above is as follows:

Civil Defense	24,200
Drug Education	181,500
Operation & Maintenance of Department	331,681
Right-to-Read	85,000
Career Education	110,000
Kindergarten Adm.	85,000
Minimum Program-Trainable Retarded Children	524,307
National Defense	399,300
Vocational Education ..	1,466,673
Alabama Learning Resource Center	60,000

SOURCE OF FUNDS:

(1) ASETF	3,267,661		
(2) Federal & Local Funds		<u>3,964,004</u>	
Total Instructional Technical Assistance Program	3,267,661	3,964,004	7,231,665
(The appropriation for Minimum Program—Trainable Retarded Children is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)			
(c) Local Agency Support Program			11,182,190
The proposed spending plan for the above is as follows:			
Coordination of In-School Television	127,201		
Driver Education, School Bus Driver Training and Vehicle Safety Inspection	371,289		
Operation & Maintenance of Department	337,490		
Testing	425,000		
Developing, Printing and Publishing Legal & Policy Manuals	5,000		
Free Textbooks	8,602,500		
Plans & Surveys	90,150		
Facilities Survey	300,000		

SOURCE OF FUNDS:

(1) ASETF	10,258,630		
(2) Federal and Local Funds		<u>923,560</u>	
Total Local Agency Support Program	10,258,630	923,560	11,182,190
(d) Regulation Program			879,432

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department	349,199
Teacher Certification & Accreditation	237,000

SOURCE OF FUNDS:

(1) ASETF	586,199		
(2) Federal and Local Funds		<u>293,233</u>	
Total Regulation Program	586,199	293,233	879,432
(e) Administrative Services Program			8,478,141

The proposed spending plan for the above is as follows:

Compact for Education	20,750
Operation & Maintenance of Department	1,600,043
Telephone Revolving Fund	1,200,000

SOURCE OF FUNDS:

(1) ASETF	2,820,793		
(2) Federal and Local Funds		<u>5,657,348</u>	
Total Administrative Services Program	2,820,793	5,657,348	8,478,141
(f) Adult Basic Education Program			5,660,599

The proposed spending plan for the above is as follows:

Adult Basic Education .	1,700,000
Community Education ...	100,000
Operation & Maintenance of Department	15,052

SOURCE OF FUNDS:

(1) ASETF	1,815,052		
(2) Federal and Local Funds		<u>3,845,547</u>	
Total Adult Basic Education Program	1,815,052	3,845,547	5,660,599

(g) Continuing Education Program	777,323
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The proposed spending plan for the above is as follows:

Operations & Maintenance of Department	20,862
Administration of Private School Act	49,500

SOURCE OF FUNDS:

(1) ASETF	70,362		
(2) Federal and Local Funds		<u>706,961</u>	
Total Continuing Education Program	70,362	706,961	777,323

(h) Administration of Post-Secondary Vocational-Technical Education Program	9,243
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The proposed spending plan for the above is as follows:

Operations & Maintenance of Dept.	9,243
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SOURCE OF FUNDS:

(1) ASETF	<u>9,243</u>	
Total Admin. of Post-Secondary Vocational-Technical Education Program	9,243	9,243

(i) Administration of Junior College School System Program ..	9,243
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The proposed spending plan for the above is as follows:

Operations & Maintenance of Department	9,243
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SOURCE OF FUNDS:

(1) ASETF	<u>9,243</u>	
Total Adm. of Junior College School System Program	9,243	9,243

(j) Rehabilitation Services Program	32,839,711
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SOURCE OF FUNDS:

(1) ASETF	7,097,000		
(2) Federal and Local Funds		<u>25,742,711</u>	
Total Rehabilitation Services Program	7,097,000	25,742,711	32,839,711

(Of the above appropriation the

sum of \$200,000 is to be spent for services for handicapped individuals for recreation at accredited year-round camping facility to be contracted through the Division of Vocational Rehabilitation Services of the Dept. of Education.)

(k) Hemophilia Program 300,000

SOURCE OF FUNDS:

(1) ASETF 300,000

Total Hemophilia Program 300,000 300,000

(As provided for under Act 1181, 1975 Regular Session.)

(l) Homebound Program 2,900,000

SOURCE OF FUNDS:

(1) ASETF 2,900,000

Total Homebound Program 2,900,000 2,900,000

(The above appropriation is to be expended in accordance with Act No. 109, Third Special, 1975, approved May 1, 1975.)

(m) Disability Determination for Social Security Program 7,549,812

SOURCE OF FUNDS:

(1) Federal and Local Funds 7,549,812

Total Disability Determination for Social Security Program 7,549,812 7,549,812

(n) Crippled Children Services Program 7,066,190

SOURCE OF FUNDS:

(1) ASETF 4,303,690

(2) Federal and Local Funds 2,762,500

Total Crippled Children Services Program 4,303,690 2,762,500 7,066,190

\$324,000 of the ASETF appropriation to be used for educational services for children with cerebral palsy through the various cerebral palsy day care and treatment centers.

(o) Manpower Development and Employment 5,894,844

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department 17,958

Comprehensive Employment & Training 484,000

SOURCE OF FUNDS:

(1) ASETF	501,958		
(2) Federal and Local Funds		<u>5,392,886</u>	

Total Manpower Development and Employment Opportunities Program	501,958	5,392,886	5,894,844
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(p) Planning and Coordination Services Program			181,826
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The proposed spending plan for the above is as follows:

Southern Regional Educational Board 181,826

SOURCE OF FUNDS:

(1) ASETF	<u>181,826</u>		
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Total Planning & Coordination Services Program	181,826		181,826
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(q) Support of State Universities Program			10,000
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The proposed spending plan for the above is as follows:

Education of Dependents of Blind Parents 10,000

SOURCE OF FUNDS:

(1) ASETF	<u>10,000</u>		
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Total Support of State Universities Program	10,000		10,000
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For reimbursement of every State Institution of Higher Learning, College, University, or Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session.

(r) Emergency Medical Services Education Program			1,500,000
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To be distributed by the Department of Education as follows:

(1) West Alabama Emergency Medical Services, Inc.	307,000		
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(2) Birmingham Regional Emergency Medical Services System	292,000		
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(3) North Alabama Emergency Medical Services, Inc.	277,000
(4) Southeast Alabama Emergency Medical Services Systems, Inc.	277,000
(5) East Alabama Emergency Medical Services, Inc.	227,000
(6) Southwest Alabama Emergency Medical Services Council, Inc.	120,000

The amounts herein appropriated shall be used for the operation and maintenance of the various medical services programs named and for the purchase of instructional supplies and new instructional equipment for such programs.

SOURCE OF FUNDS:

(1) ASETF	<u>1,500,000</u>	
Total Emergency Medical Service Education Program	<u>1,500,000</u>	<u>1,500,000</u>

TOTAL DEPARTMENT OF EDUCATION

SOURCE OF FUNDS:

(1) ASETF	84,135,374		
(2) Federal and Local Funds		<u>235,409,240</u>	
Grand Total Department of Education	84,135,374	235,409,240	319,544,614

5. Examiners of Public Accounts

(a) Legislative Support-Audit Services Program	1,000,000
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For purposes of auditing all phases of public education.

SOURCE OF FUNDS:

(1) ASETF	<u>1,000,000</u>	
Total Examiners of Public Accounts	1,000,000	1,000,000

6. Alabama Film Commission

(a) Promotional Development Program	70,000
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SOURCE OF FUNDS:

(1) ASETF	<u>70,000</u>	
Total Alabama Film Commission .	70,000	70,000
7. Alabama School of Fine Arts		
(a) Fine Arts Program		891,855

SOURCE OF FUNDS:

(1) ASETF	800,000	
(2) Federal and Local Funds		<u>91,855</u>
Total Alabama School of Fine Arts	800,000	91,855
8. Alabama Firefighters' Personnel Standards and Education Commission		
(a) Professional and Occupational Licensing & Regulation Program		150,000

SOURCE OF FUNDS:

(1) ASETF	<u>150,000</u>	
Total Alabama Firefighters' Personnel Standards and Education Commission	150,000	150,000
9. Health Department		
(a) Health Support Services Program		500,000
For immunization of pre-school children and students and for public school food sanitation.		
(b) For the Division of Maternal and Child Health		200,000

Provided, however, that the above appropriation shall be expended only for the development of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan is meeting Federal matching requirements.

SOURCE OF FUNDS:

(1) ASETF	<u>700,000</u>	
Total Health Department	700,000	700,000

10. Commission on Higher Education			
(a) Planning & Coordination Services Program			462,430
(b) Support of Other Educational Activities Program			2,538,800
SOURCE OF FUNDS:			
(1) ASETF	1,725,400		
(2) Federal and Local Funds		<u>1,275,830</u>	
Total Commission on Higher Education	1,725,400	1,275,830	3,001,230
No salary of any employee of the Commission shall exceed the salary paid to the State Superintendent of Education.			
To be expended in accordance with Act No. 14, 1969 Special Session.			
11. Alabama Board of Nursing:			
(a) Professional and Occupational Licensing and Regulation Program			542,891
SOURCE OF FUNDS:			
(1) ASETF as provided in Act No. 68, 1977 Special Session. Scholarships for Graduate Nurses ...	57,000		
(2) Alabama Board of Nursing Trust Fund as provided in Title 34, Chapter 21, Code of Alabama 1975, as amended		<u>485,891</u>	
Total Alabama Board of Nursing .	57,000	485,891	542,891
12. Alabama Historical Commission			
(a) Historical Resource Management and Archaeological Research			150,000
SOURCE OF FUNDS:			
(1) ASETF	<u>150,000</u>		
Total Alabama Historical Commission	150,000		150,000
13. Alabama Industrial Development Training Institute			
(a) Industrial Training Program .			1,885,752
SOURCE OF FUNDS:			
(1) ASETF	<u>1,885,752</u>		

Total Alabama Industrial Development Training Inst.	1,885,752		1,885,752
14. Junior College School System			
(a) Academic Instruction and Institutional Support Program ...			67,848,063
SOURCE OF FUNDS:			
(1) ASETF	39,550,000		
(2) Federal and Local Funds		9,050,476	
(3) State Funds		245,787	
(4) Other Funds		<u>19,001,800</u>	
Total Junior College School System	39,550,000	28,298,063	67,848,063

For operation and maintenance of the Junior Colleges listed below to be distributed on formula adopted by the State Board of Education. \$200,000.00 to each junior college listed below. The remainder of the appropriation is to be allotted to each such junior college in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1977-78 by all such junior colleges. Continuing education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.) Of the above appropriations contained herein in Section 3, paragraph A-14 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the state junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full-time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received, shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

15. Alabama Law Institute			
(a) Support of Other Educational Activities Program			199,000
SOURCE OF FUNDS:			
(1) ASETF	<u>199,000</u>		

Total Alabama Law Institute	199,000		199,000
16. Legislature			
(a) Legislative Operations & Support Program			1,000,000
SOURCE OF FUNDS:			
(1) ASETF	<u>1,000,000</u>		
Total Legislature	1,000,000		1,000,000
17. Public Library Service			
(a) Public Library Services Program			3,782,066
SOURCE OF FUNDS:			
(1) ASETF	2,750,000		
(2) Federal and Local Funds		<u>1,032,066</u>	
Total Public Library Service	2,750,000	1,032,066	3,782,066
18. Marine Environmental Sciences Consortium			
(a) Support of other Educational Activities Program			778,750
SOURCE OF FUNDS:			
(1) ASETF	568,750		
(2) Federal and Local Funds		60,000	
(3) University of Alabama		<u>150,000</u>	
Total Marine Environmental Sciences Consortium	568,750	210,000	778,750
19. Medical Scholarships Board			
(a) Support of other Educational Activities Program			555,000
SOURCE OF FUNDS:			
(1) ASETF	<u>555,000</u>		
Total Medical Scholarship Board . .	555,000		555,000
(To be expended under the provisions of Act No. 663, 1977 Regular Session.)			
20. Minimum Program			
(a) Financial Assistance Program			581,236,819
SOURCE OF FUNDS:			
(1) ASETF	556,560,334		
(2) Public School Fund		20,000,000	
(3) Local Effort		<u>4,676,485</u>	

Total Minimum Program Fund . . . 556,560,334 24,676,485 581,236,819

(aa) To be distributed by the State
Board of Education for:

Local Boards	484,910,244
Board of Adjustment Awards	150,000
Teachers Sick Leave	3,890,178
Teachers Personal Leave	1,296,726
Hospital—Medical Insurance As- sistance	9,427,961
Funds to Replace Fees	10,488,225
Maintenance	6,000,000
Sick Leave for Support Personnel	800,000
Additional for Special Educationa	25,550,000
Salary Increases for Lunchroom Workers	7,747,000
Insurance for Support Staff	6,300,000

The Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such funds, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(bb) Of the total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-systems, and/or state-wide programs for exceptional children. In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1977-78, six hundred fifty (650) are provided for the reduction of the class size in grades 1-6. The Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallo-

cated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1977-78 school year. In addition to the three thousand two hundred fifty (3,250) special units now provided through the minimum program, there is hereby provided the sum of 25 million, five hundred and fifty thousand dollars (\$25,550,000) to be used in the area of special education. The funds to provide for this program are included under the programmatic appropriations of Section 20 (aa) Minimum Program and the wording in this section (bb) is for explanation purposes only and is not intended to be construed to be a second funding. Of the \$25,550,000 for Special Education, \$1,422,846 shall be allocated to local boards of education and administered through the Division of Vocational Education for meeting matching requirements of Federal Legislation (P.L. 94-482) for vocational education for the handicapped. An amount approved by the State Board of Education and State Superintendent of Education may be distributed by the State Board of Education to the Alabama Institute for Deaf and Blind to implement the purposes of Act 106 and P.L. 94-142. The remaining funds of this category shall be allocated by the State Board of Education and his staff. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must be approved by the State Superintendent of Education before such funds are disbursed. The proposals may include, but are not limited to, any or all of the following: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be determined by the State Superintendent of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Superintendent, through his staff, shall monitor programs to assure that the purposes for which these funds are provided are carried out on the approved plan.

In addition to the above appropriation to exceptional children there is hereby appropriated \$5,000,000 which is conditional upon the condition of the Alabama Special Educational Trust Fund and upon approval of the Governor.

Three hundred eighty (380) additional kindergarten units are herewith provided for the phasing in of the kindergarten program during the specified fiscal year and shall be dispersed with the kindergarten teacher units being at least equal to the amount received by the respective local school boards during the preceeding fiscal year. In addition thereto, all local school boards shall receive all kindergarten teacher units now supplied by federal funds if these programs continue to be federally funded.

(cc) Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is herein above appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. From the funds provided herein above, each local county and city board of education shall allocate to the schools in their respective systems an amount based on \$250 or \$300 for each teacher unit assigned to each school.

With each faculty member being given an opportunity for input, the faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, by majority vote, approve a budget for the school. At least one-half of this amount shall be available for each teacher for materials and supplies for that teacher's students; provided, however, any teacher may sign a waiver releasing said funds for joint purchases within the school. No board of education shall withhold from any school any funds to which they are entitled under the provisions of this Act. Based on this budget, the faculty shall recommend to the superintendent the recommended amount to be allotted to each teacher to be spent for agreed upon items and other amounts to be used for the common good of all for the operation of the instructional program within the school. The local school board shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In courses not required for graduation, local schools boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided, however, such fees shall be waived for students who cannot afford to pay the fees. Any funds collected in fees shall be spent on the course for which the fee was levied. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) It is provided that in addition to all units earned by the local school system under the Minimum program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expended from local funds for teachers during the school year 1977-78 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios or that where there has been a decrease in school population to justify such reduction. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to the State Board of Education the implementation of the above provisions by December 31, 1978 and to the Legislature by the first legislative day of the next regular session.

(ee) The appropriation hereinabove made to the Minimum Program Fund provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1979.

(ff) Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and

twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance. No portion of the funds herein appropriated for employee hospital-medical insurance may be used to pay premiums for any group insurance policy that is available only to members of any private organization.

Provided, further, that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation #56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified professional employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

In no event shall a professional staff member be eligible for more than one hospital-medical insurance assistance allotment.

(gg) Of the appropriation hereinabove made to the Minimum Program there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per full-time support person (defined in sub-section ii) employed by any local board of education or by any school under the local board's jurisdiction to provide hospital-medical insurance assistance, provided however that only adult school bus drivers are included and coverage is not included for student school bus drivers.

Provided, further, that any employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation #56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The support personnel shall participate in the same carrier and plan selection process as the teachers within the school system; except that in no instance shall a local school board be required to approve a separate carrier and plan for support employees in addition to the carrier and plan selected by majority vote of all employees of that school board. Any funds not used in the fiscal year shall revert to the Alabama Special Education Trust Fund.

In no event shall a support staff member be eligible for more than one hospital-medical insurance assistance allotment.

(hh) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$2,204.75 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in sub-section (a) Local Boards shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$38,066,490.00.

The appropriation hereinabove set out for the fiscal year 1978-79 is based on 31,736 teacher units.

It is provided in the event there are more than 31,736 earned teacher units for the fiscal year 1978-79, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided, in the event that there be less earned teacher units than those set out above, then the amount that would have been necessary to pay for these earned teacher units shall be allotted by the State Board of Education on a formula developed by the State Superintendent of Education and his staff for teacher units to continue the phasing-in of the State kindergarten program. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

(ii) It is provided that from the appropriation hereinabove made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum. These increases are for teachers with one hundred eighty-day contracts. Additional pro rata salary increases shall be granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificates. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

In addition to all salary now received and all local increments due for the 1978-79 school year, all full-time employees of city and county boards of education and all full-time employees in the school under their jurisdiction

with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on the number of hours worked per day. All adult school bus drivers shall receive a salary increase of not less than five hundred dollars (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars (\$300) per annum and any county or city board of education failing to comply hereiwith shall not be entitled to share in the Minimum Program Fund.

Each local board of education shall have the following options as to how the salary increases shall be distributed:

- 1) Across the currently used pay periods for the school year or
- 2) Across the summer months payable in equal installments.

(jj) The \$800,000 appropriated in Section 20 (aa) is to provide sick leave for support personnel in accordance with Act No. 208, 1977 Regular Session of the Alabama Legislature.

21. Alabama Occupational Information System

(a) Employment and Social Opportunities Program	590,051
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SOURCE OF FUNDS:

(1) ASETF	200,000		
(2) Federal and Local Funds		<u>390,051</u>	
Total Alabama Occupational Information System	200,000	390,051	590,051

22. Alabama Peace Officers Standards and Training Commission

(a) Professional and Occupational Licensing and Regulation Program	80,000
(b) Certified Law Enforcement Academy Programs	246,200

Jacksonville State University

University of Alabama ...

James H. Faulkner Jr. Col. ...

Troy State Univ. Montgomery

SOURCE OF FUNDS:

(1) ASETF	<u>326,200</u>
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Total Alabama Peace Officers Standards and Training Commission	326,200		326,200
23. Commission on Physical Fitness			
(a) Advisory Services Program ...			83,000
SOURCE OF FUNDS:			
(1) ASETF	<u>83,000</u>		
Total Commission on Physical Fitness	83,000		83,000
24. Post-Secondary Vocational-Technical Education System			
(a) Instructional and Institutional Support Program			45,972,443
SOURCE OF FUNDS:			
(1) ASETF	32,451,521		
(2) Federal and Local Funds		815,457	
(3) Other Funds		<u>12,705,465</u>	
Total Post-Secondary Vocational-Technical Education System ...	32,451,521	13,520,922	45,972,443

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education. (The above appropriation is to be distributed to the following Vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College- Technical Division (7); Carver State Technical Institute School; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical School; (12) Theodore A. Lawson State Community College-Technical Division (13) Douglas MacArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnelley State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker County State Technical College; (26) George Corley Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville).

Of the above appropriations contained herein in Section 3 (a) (24) not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now

received, shall be granted all full time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978.

25. Social Security

(a) For State's share of Social Security, Estimated	47,249,440
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SOURCE OF FUNDS:

(1) ASETF	<u>47,249,440</u>	
Total Social Security	47,249,440	47,249,440

26. Sports Hall of Fame

(a) Historical Resources Management Program	51,894
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SOURCE OF FUNDS:

(1) ASETF	30,000	
(2) Sports Hall of Fame Operating Fund		<u>21,894</u>
Total Sports Hall of Fame	30,000	21,894
		51,894

27. Alabama Education Study Commission

(a) Advisory Services Program ...	210,000
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SOURCE OF FUNDS:

(1) ASETF	<u>210,000</u>	
Total Alabama Education Study Commission	210,000	210,000

(To be used for educational studies in accordance with Act No. 15, 1969 Special Session.)

28. Teachers' Retirement System of Alabama

(a) Retirement Systems Program, Estimated	142,396,640
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SOURCE OF FUNDS:

(1) ASETF—Teachers' Retirement System	140,297,462	
(2) ASETF—Teachers' Special Pension Fund	<u>2,099,178</u>	
Total Retirement Systems Program (State's Share)	142,396,640	142,396,640

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund. Provided that any increase in the above ap-

propriations shall be made only after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

29. State Tenure Commission

(a) Regulation Program		10,000
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SOURCE OF FUNDS:

(1) ASETF	<u>10,000</u>	
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Total State Tenure Commission ..	10,000	10,000
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30. Educational TV Commission

(a) Educational TV Services Program		2,885,500
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(b) Public Radio Service Program		195,000
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SOURCE OF FUNDS:

(1) ASETF	2,205,500	
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(2) Federal and Local Funds		<u>875,000</u>
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Total Educational TV Commission	2,205,500	875,000	3,080,500
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31. Veterans Education Benefits

(a) Administration of Veterans Affairs Program		1,350,000
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SOURCE OF FUNDS:

(1) ASETF	<u>1,350,000</u>	
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Total Veterans Educational Benefits	1,350,000	1,350,000
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The above appropriation includes pro-rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

32. John M. Will Journalism Scholarship Fund

(a) Support of other Educational Activities Program		1,000
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SOURCE OF FUNDS:

(1) ASETF	<u>1,000</u>		
Total John M. Will Journalism Scholarship Fund	1,000		1,000
33. Youth Services			
(a) Youth Services Program			8,906,171
SOURCE OF FUNDS:			
(1) ASETF	7,221,171		
(2) Federal and Local Funds		<u>1,685,000</u>	
Total Youth Services	7,221,171	1,685,000	8,906,171
(To be expended in accordance with Act No. 816, 1973 Regular Ses- sion.)			
(Of the above appropriation, Fif- teen Thousand Dollars (\$15,000) shall be spent for the construc- tion of a chapel on the campus at Mount Meigs.)			
Section 4.			
B. NON-STATE EDUCATIONAL AGENCIES:			
1. American Legion Auxiliary Scholarship Fund			10,000
SOURCE OF FUNDS:			
(1) ASETF	<u>10,000</u>		
Total American Legion Auxiliary Scholarship Fund	10,000		10,000
(To be expended under the provi- sions of Act No. 676, 1978 Regu- lar Session.)			
2. Birmingham Training Center for Brain Injured Children			
(a) Non-Institutional Treatment and Care Program			30,000
SOURCE OF FUNDS:			
(1) ASETF	<u>30,000</u>		
Total Birmingham Training Cen- ter for Brain Injured Children .	30,000		30,000
3. East Alabama Regional Child Development Program			
(a) Financial Assistance Program			580,373
SOURCE OF FUNDS:			
(1) ASETF	525,000		

(2) Federal and Local Funds		<u>55,373</u>	
Total East Alabama Regional Child Development Program . . .	525,000	55,373	580,373
Of the above appropriation the counties of Limestone, Jackson, Madison and Marshall shall re- ceive \$25,000 each.			
4. Environmental Quality Associ- ation			
(a) Environmental Education Pro- gram			175,000
SOURCE OF FUNDS:			
(1) ASETF	<u>175,000</u>		
Total Environmental Quality As- sociation	175,000		175,000
5. Montgomery Institute for Neurological Development			
(a) Non-Institutional Treatment and Care Program			25,000
SOURCE OF FUNDS:			
(1) ASETF	<u>25,000</u>		
Total Montgomery Institute of Neurological Development	25,000		25,000
6. Opportunities Industrialization Centers			
(a) Manpower Development and Employment Opportunities Pro- gram			175,000
SOURCE OF FUNDS:			
(1) ASETF	<u>175,000</u>		
Total Opportunities Industrializa- tion Centers	175,000		175,000
7. Sylacauga Nurses Training School			
(a) Support of Other Educational Activities Program			348,984
SOURCE OF FUNDS:			
(1) ASETF	58,000		
(2) Federal and Local Funds		17,500	
(3) Other Funds		<u>273,484</u>	
Total Sylacauga Nurses Training School	58,000	290,984	348,984
(The above includes \$18,000 for Nursing Scholarships)			

(To be expended in accordance with
Act No. 2393, 1971 Regular Ses-
sion.)

8. Hall of Fame Bowl Game:

(a) Tourism and Travel Promotion 50,000

SOURCE OF FUNDS:

(1) ASETF 50,000

Total Hall of Fame Bowl Game .. 50,000 50,000

Section 5.

COLLEGES, UNIVERSITIES AND SCHOOLS

Of the funds appropriated in Section 5 herein for colleges, universities and schools listed below, no institution shall be eligible to receive appropriations provided herein unless such institution provides its employees, upon their request, payroll deduction of dues from at least seven (7) different pay periods for the local affiliate of any general incorporated statewide educator's organization or labor organization. Deduction of dues shall be made only upon written request of the employee and shall not be construed to grant any organization any bargaining rights upon behalf of the institution's employees. Deduction of dues shall not be required for any organization which serves only persons employed in a particular subject matter area or that is not affiliated with a public statewide employee organization which complies with Alabama statutes.

Section 5.

COLLEGES, UNIVERSITIES AND SCHOOLS

I. Board of Trustees of University
of Alabama

A. The University

1. Operations & Maintenance, Ex-
tension, Public Service & Re-
search:

(a) Instruction	22,587,787
(b) Transfers	833,373
(c) Libraries	1,405,171
(d) Academic Support (excl. Libr.)	4,511,867
(e) Student Services	1,558,251
(f) Institutional Support	6,550,441
(g) Operation & Maintenance of Physical Plant	5,646,479
(h) Scholarships and Fellowships	648,766
(i) Capital Outlay	1,095,259
(j) Debt Service	292,240

SOURCE OF FUNDS:

(1) ASETF 31,723,728

(2) Other Sources		<u>13,405,906</u>	
Total Operations & Maintenance, Extension, Public Service & Re- search	31,723,728	13,405,906	45,129,634
2. Extension, Public Service & Re- search:			
(a) Research			133,829
(b) Public Service			2,665,090
(c) Capital Outlay			20,720
(d) Debt Service			57,364
(e) Transfers			16,594
SOURCE OF FUNDS:			
(1) ASETF	1,850,000		
(2) Other Sources		<u>1,043,597</u>	
Total Extension, Public Service, and Research	1,850,000	1,043,597	2,893,597
3. Emergency Medical Services Paramedic Training:			
(For operation and maintenance)			
(a) Public Service			125,000
SOURCE OF FUNDS:			
(1) ASETF	<u>125,000</u>		
Total Emergency Medical Services	125,000		125,000
4. Center for Emotionally Dis- turbed Children:			
(a) Academic Support (excl. Libr.)			472,462
SOURCE OF FUNDS:			
(1) ASETF	<u>472,462</u>		
Total Center for Emotionally Dis- turbed Children	472,462		472,462
5. Nursing Scholarships:			
(a) Scholarships and Fellowships .			18,000
SOURCE OF FUNDS:			
(1) ASETF	<u>18,000</u>		
Total Nursing Scholarships	18,000		18,000
6. School of Mines:			
(a) Research			859,000
(b) Public Service			200,000
SOURCE OF FUNDS:			
(1) ASETF	<u>1,059,000</u>		
Total School of Mines	1,059,000		1,059,000

7. Family Practice Center:

(a) Instruction	312,285
(b) Academic Support (excl. Libr.)	429,360

SOURCE OF FUNDS:

(1) ASETF	<u>741,645</u>	
Total Family Practice Center	741,645	741,645

8. Alabama Museum of Natural History—Mound State Park and Archaeological Service:

(a) Public Service	182,195
(b) Capital Outlay	6,705

SOURCE OF FUNDS:

(1) ASETF	150,000		
(2) Other Sources		<u>38,900</u>	
Total Alabama Museum of Natural History—Mound State Park and Archaeological	150,000	38,900	188,900

9. College of Community Health Sciences:

(a) Instruction	1,515,047
(b) Libraries	135,377
(c) Academic Support (excl. Libr.)	409,836
(d) Operation & Maintenance of Physical Plant	169,412
(e) Capital Outlay	30,314

SOURCE OF FUNDS:

(1) ASETF	2,154,986		
(2) Other Sources		<u>105,000</u>	
Total College of Community Health Sciences	2,154,986	105,000	2,259,986

10. Auxiliary Enterprises:

(a) Scholarships & Fellowships ..	421,679
(b) Capital Outlay	37,652
(c) Auxiliary Enterprises	10,517,791
(d) Debt Service	1,457,481
(e) Transfer to Plant Funds	526,900

SOURCE OF FUNDS:

(1) Other Sources	<u>12,961,503</u>	
Total Auxiliary Enterprises	12,961,503	12,961,503

11. Restricted Funds:

(a) Instruction	6,310,584	
(b) Research	1,120,746	
(c) Public Service	934,713	
(d) Academic Support (excl. Libr.)	79,116	
(e) Student Services	102,883	
(f) Institutional Support	308,817	
(g) Operation & Maintenance of Physical Plant	138,348	
(h) Scholarships and Fellowships	795,308	
(i) Capital Outlay	347,637	

SOURCE OF FUNDS:

(1) State Funds	3,185,481	
(2) Federal Funds	5,692,671	
(3) Other Sources	<u>1,260,000</u>	
Total Restricted Funds	10,138,152	10,138,152

12. Gadsden Cooperative University Upper Division Program:

(a) Instruction	267,168	
(b) Capital Outlay	15,992	

SOURCE OF FUNDS:

(1) ASETF	193,189	
(2) Other Sources	<u>89,971</u>	
Total Gadsden Cooperative University Upper Division Program	193,189	89,971
		283,160

13. Rural Infant Development Environment Program

125,000

SOURCE OF FUNDS:

(1) ASETF	<u>125,000</u>	
Total Rural Infant Development Environment Program	<u>125,000</u>	<u>125,000</u>

14. Vocational Teacher Training Program

340,057

SOURCE OF FUNDS:

(1) ASETF	<u>340,057</u>	
Total Vocational Teacher Training Program	<u>340,057</u>	<u>340,057</u>

TOTAL UNIVERSITY OF ALABAMA

38,953,067 37,783,029 76,736,096

B. University of Alabama in Birmingham

1. School of Medicine:

(a) Instruction	14,013,030
(b) Research	17,975,212
(c) Public Service	5,638,999
(d) Libraries	264,132
(e) Academic Support (excl. Libr.)	1,361,489
(f) Student Services	401,368
(g) Institutional Support	2,924,249
(h) Operation & Maintenance of Physical Plant	3,596,996
(i) Scholarships and Fellowships .	115,000
(j) Capital Outlay	900,000
(k) Equipment—Other than Au- tomotive (For Cavitron Laser Machine)	70,000
(l) Training on Special Cancer De- tection for Rehabilitating for Speech & Hearing Disorders ...	45,000
(m) Debt Service	724,221
(n) Hyperthermia Program	109,000

SOURCE OF FUNDS:

(1) ASETF	16,199,000	
(2) State Funds	1,550,000	
(3) Federal Funds	22,400,000	
(4) Local Funds	550,000	
(5) Other Sources	<u>7,439,696</u>	
Total School of Medicine	16,199,000	31,939,696
		48,138,696

2. Family and Other Primary Care
Residency Programs:

(a) Instruction	1,723,390
(b) Institutional Support	18,590
(c) Operation & Maintenance of Physical Plant	20,020

SOURCE OF FUNDS:

(1) ASETF	<u>1,762,000</u>	
Total Family and Other Primary Care Residency Programs	1,762,000	1,762,000

The above appropriation shall be
expended for residency programs
as follows:

Anniston	230,000
East End	230,000
Jefferson County	230,000
Montgomery	230,000
Montg.-Internal Medicine	220,000
Heflin	50,000
Selma	342,000
Gadsden	230,000

3. University College:

(a) Instruction	10,763,800
(b) Research	453,100
(c) Public Service	1,061,300
(d) Libraries	1,357,200
(e) Academic Support (excl. Libr.)	2,467,492
(f) Student Services	903,284
(g) Institutional Support	2,248,924
(h) Operation & Maintenance of Physical Plant	1,675,854
(i) Scholarships and Fellowships .	120,000
(j) Capital Outlay	400,000
(k) For Vocational Teacher Train- ing	125,000

SOURCE OF FUNDS:

(1) ASETF	13,452,764		
(2) Federal Funds		382,821	
(3) Local Funds		656,903	
(4) Other Sources		<u>7,083,466</u>	
Total University College	13,452,764	8,123,190	21,575,954

4. University Hospital and Clinics:

(a) Hospital	81,914,088
(b) Debt Service	2,798,000

SOURCE OF FUNDS:

(1) ASETF	5,907,000		
(2) Other Sources		<u>78,805,088</u>	
Total University Hospital and Clinics	5,907,000	78,805,088	84,712,088

5. School of Optometry:

(a) Instruction	2,111,241
(b) Research	91,684

(c) Public Service	62,188
(d) Libraries	5,477
(e) Academic Support (excl. Libr.)	296,586
(f) Student Services	33,263
(g) Institutional Support	154,370
(h) Operation & Maintenance of Physical Plant	315,882
(i) Debt Service	26,125

SOURCE OF FUNDS:

(1) ASETF	2,021,500		
(2) State Funds		267,731	
(3) Other Sources		<u>807,585</u>	
Total School of Optometry	2,021,500	1,075,316	3,096,816

6. School of Public and Allied Health:

(a) Instruction	1,890,445
(b) Research	64,469
(c) Public Service	245,500
(d) Libraries	27,785
(e) Academic Support (excl. Libr.)	484,513
(f) Student Services	60,197
(g) Institutional Support	230,800
(h) Operation & Maintenance of Physical Plant	257,771
(i) Scholarships and Fellowships .	16,000
(j) Debt Service	29,514

SOURCE OF FUNDS:

(1) ASETF	1,838,473		
(2) Federal Funds		1,089,642	
(3) Other Sources		<u>378,879</u>	
Total School of Community and Al- lied Health Resources	1,838,473	1,468,521	3,306,994

7. Regional Technical Institute:

(a) Instruction	1,382,972
(b) Research	24,750
(c) Public Service	95,495
(d) Libraries	35,627
(e) Academic Support (excl. Libr.)	210,097
(f) Student Services	63,388
(g) Institutional Support	102,146

(h) Operation & Maintenance of Physical Plant			292,825
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SOURCE OF FUNDS:

(1) ASETF	1,697,245		
(2) Federal Funds		349,873	
(3) Other Sources		<u>160,182</u>	
Total Regional Technical Institute	1,697,245	510,055	2,207,300

8. Joint Health Sciences Program:

(a) Instruction			1,675,968
(b) Libraries			32,400
(c) Academic Support (excl. Libr.)			185,700
(d) Student Services			12,000
(e) Institutional Support			280,400
(f) Operation & Maintenance of Physical Plant			572,164
(g) Scholarships and Fellowships .			100,000
(h) Capital Outlay			50,000

SOURCE OF FUNDS:

(1) ASETF	2,392,488		
(2) Federal Funds		175,800	
(3) Other Sources		340,344	
Total Joint Health Sciences Pro- gram	2,392,488	516,144	2,908,632

9. Department of Pediatrics:

(a) Instruction			318,000
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SOURCE OF FUNDS:

(1) ASETF	<u>318,000</u>		
Total Department of Pediatrics . . .	318,000		318,000

10. Center for Labor Education & Research:

(a) Research			43,070
(b) Public Service			172,270
(c) Institutional Support			30,040
(d) Operation & Maintenance of Physical Plant			23,794

SOURCE OF FUNDS:

(1) ASETF	<u>269,174</u>		
Total Center for Labor Education and Research	269,174		269,174

11. Student Nurses Loans:

(a) Scholarships & Fellowships ..		12,000
SOURCE OF FUNDS:		
(1) ASETF	<u>12,000</u>	
Total Student Nurses Loans	12,000	12,000
12. Special Mental Health:		
(a) Instruction		1,684,908
(b) Research		362,451
(c) Public Service		91,707
(d) Institutional Support		95,246
(e) Operation & Maintenance of Physical Plant		80,877
(f) Transfers		567,710
SOURCE OF FUNDS:		
(1) Special Mental Health Fund ..	<u>2,882,899</u>	
Total Special Mental Health	2,882,899	2,882,899
13. Center for Developmental and Learning Disorders:		
(a) Instruction		1,404,635
(b) Research		25,083
(c) Public Service		1,078,560
SOURCE OF FUNDS:		
(1) Special Mental Health Fund ..	487,250	
(2) Federal Funds	1,482,501	
(3) Other Sources	<u>538,527</u>	
Total Center for Development and Learning Disorders	2,508,278	2,508,278
14. School of Dentistry:		
(a) Instruction		5,525,057
(b) Research		3,871,173
(c) Public Service		561,287
(d) Libraries		102,052
(e) Academic Support (excl. Libr.)		574,044
(f) Student Services		127,565
(g) Institutional Support		803,661
(h) Operation & Maintenance of Physical Plant		2,079,120
(i) Debt Service		85,000
SOURCE OF FUNDS:		
(1) ASETF	6,938,000	

(2) Federal Funds		4,100,000	
(3) Other Sources		<u>2,690,959</u>	
Total School of Dentistry	6,938,000	6,790,959	13,728,959
15. School of Nursing Scholarships:			
(a) Scholarships & Fellowships ..			88,400
SOURCE OF FUNDS:			
(1) ASETF	<u>88,400</u>		
Total School of Nursing Scholarships	88,400		88,400
16. System Medical Education Program:			
(a) Instruction			503,500
SOURCE OF FUNDS:			
(1) ASETF	<u>503,500</u>		
Total System Medical Education Program	503,500		503,500
17. School of Nursing:			
(a) Instruction			2,621,714
(b) Research			51,134
(c) Public Service			45,000
(d) Libraries			34,080
(e) Academic Support (excl. Libr.) ..			399,325
(f) Student Services			133,991
(g) Institutional Support			248,857
(h) Operation & Maintenance of Physical Plant			317,983
(i) Scholarships & Fellowships ...			20,000
SOURCE OF FUNDS:			
(1) ASETF	2,546,102		
(2) Federal Funds		719,603	
(3) Other Sources		<u>606,379</u>	
Total School of Nursing	2,546,102	1,325,982	3,872,084
18. Health—Related Research and Public Service:			
(a) Instruction			925,900
(b) Research			670,900
(c) Public Service			1,051,100
(d) Academic Support (excl. Libr.) ..			24,900

(e) Institutional Support	135,500
(f) Operation & Maintenance of Physical Plant	141,654

SOURCE OF FUNDS:

(1) ASETF	2,889,654		
(2) Other Sources		<u>60,300</u>	
Total Health-Related Research and Public Service	2,889,654	60,300	2,949,954

(These appropriations under Sub-section B, University of Alabama in Birmingham are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

19. Emergency Medical Training,
Including Mining Emergency
Training & Safety:

(a) Instruction	125,000
(b) Public Service	40,000

SOURCE OF FUNDS:

(1) ASETF	<u>165,000</u>	
Total Emergency Medical Training	165,000	165,000

20. Urban Research and Public
Service:

(a) Research	46,800
(b) Public Service	97,870
(c) Libraries	17,020
(d) Operation & Maintenance of Physical Plant	8,522

SOURCE OF FUNDS:

(1) ASETF	<u>170,212</u>	
Total Urban Research & Public Service	170,212	170,212

21. Hypertension Research	400,000
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SOURCE OF FUNDS:

(1) ASETF	400,000		
Total Hypertension Research	400,000		400,000
22. Arthritis Research			400,000
SOURCE OF FUNDS:			
(1) ASETF	400,000		
Total Arthritis Research	400,000		400,000
TOTAL UNIVERSITY OF ALABAMA IN BIRMINGHAM	59,970,512	136,006,428	195,976,940
C. University of Alabama in Huntsville:			
(1) Operation and Maintenance:			
(a) Instruction			4,439,805
(b) Research			1,514,883
(c) Public Service			277,652
(d) Libraries			330,645
(e) Academic Support (excl. Lib.) ..			264,531
(f) Student Service			536,212
(g) Institutional Support			1,008,079
(h) Operation and Maintenance of Physical Plant			1,000,930
(i) Scholarships and Fellowships ..			740,577
(j) Auxiliary Enterprises			1,075,163
(k) Equipment Purchases			530,000
SOURCE OF FUNDS:			
(1) ASETF	5,691,184		
(2) Federal Funds		1,988,825	
(3) Other Sources		3,938,468	
Total Operation & Maintenance ..	5,791,184	5,927,293	11,718,477
2. School of Nursing Scholarships:			
(a) Scholarships and Fellowships ..			18,000
SOURCE OF FUNDS:			
(1) ASETF	18,000		
Total School of Nursing Scholarships	18,000		18,000
(To be expended in accordance with Act 2290, 1971 Regular Session.)			
3. School of Primary Medical Care:			
(a) Instruction			1,704,937
(b) Research			435,865

(c) Public Service	16,423
(d) Libraries	29,906
(e) Academic Support (excl. Libr.)	550,623
(f) Student Services	60,175
(g) Institutional Support	365,534
(h) Operation and Maintenance of Physical Plant	312,094
(i) Scholarships and Fellowships .	2,800
(j) Equipment Purchases	47,567

SOURCE OF FUNDS:

(1) ASETF	2,642,511		
(2) Federal Funds		440,228	
(3) Other Sources		<u>443,185</u>	
Total School of Primary Medical Care	2,642,511	883,413	3,525,924

4. Johnson Environmental & Energy Center:

(a) Research	338,626
(b) Public Service	201,730
(c) Institutional Support	23,454
(d) Operation and Maintenance of Physical Plant	44,007
(e) Equipment Purchases	27,282

SOURCE OF FUNDS:

(1) ASETF	269,191		
(2) State Funds		58,911	
(3) Federal Funds		305,168	
(4) Other Sources		<u>1,829</u>	
Total Center for Environmental and Energy Studies	269,191	365,908	635,099

5. Ambulatory Care Center:

(a) Instruction	480,223
(b) Academic Support (excl. Libr.)	466,201
(c) Institutional Support	72,918
(d) Operation and Maintenance of Physical Plant	88,682
(e) Equipment Purchases	50,000

SOURCE OF FUNDS:

(1) ASETF	646,403
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(2) Other Sources		<u>511,621</u>	
Total Ambulatory Care Center ...	646,403	511,621	1,158,024
6. School of Nursing:			
(a) Instruction			538,238
(b) Academic Support (excl. Libr.)			197,272
(c) Institutional Support			108,347
(d) Operation and Maintenance of Physical Plant			137,722
(e) Equipment Purchases			2,700
SOURCE OF FUNDS:			
(1) ASETF	792,027		
(2) Other Sources		<u>192,252</u>	
Total School of Nursing	792,027	192,252	984,279
7. Paramedic Training:			
(a) Instruction			7,750
(b) Public Service			86,000
(c) Institutional Support			16,730
(d) Operation and Maintenance of Physical Plant			14,520
SOURCE OF FUNDS:			
(1) ASETF	<u>125,000</u>		
Total Paramedic Training	125,000		125,000
8. Alabama Solar Energy Center:			
(a) Research			36,947
(b) Public Service			36,947
(c) Institutional Support			10,226
(d) Operation and Maintenance of Physical Plant			19,188
(e) Equipment Purchases			14,349
SOURCE OF FUNDS:			
(1) ASETF	<u>117,657</u>		
Total Solar Energy Center	<u>117,657</u>		<u>117,657</u>
TOTAL UNIVERSITY OF ALABAMA IN HUNTSVILLE	10,401,973	7,880,487	18,282,460
II. Board of Trustees of Alabama A & M Univ.			
A. Alabama A & M University			
1. Operation and Maintenance			
(a) Instruction			5,772,727

(b) Research	1,124,500
(c) Public Service	1,680,425
(d) Libraries	625,400
(e) Academic Support (excl. Libr.)	671,455
(f) Student Services	588,550
(g) Institutional Support	1,840,000
(h) Operation and Maintenance of Physical Plant	2,291,814
(i) Scholarships and Fellowships .	150,000
(j) Auxiliary Enterprises	2,900,000
(k) Equipment Purchases	241,814
(l) Automotive Equipment	65,000
(m) Debt Service	451,000

SOURCE OF FUNDS:

(1) ASETF	8,100,000		
(2) Federal Funds		5,027,000	
(3) Other Sources		<u>5,275,685</u>	
Total Operation & Maintenance ..	8,100,000	10,302,685	18,402,685
2. Vocational Teacher Training ..			250,000

SOURCE OF FUNDS:

(1) ASETF	<u>250,000</u>		
Total Vocational Teacher Trng. ..	<u>250,000</u>		<u>250,000</u>

TOTAL ALABAMA A & M UNI- VERSITY	8,350,000	10,302,685	18,652,685
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III. Board of Trustees of Alabama
State University

A. Alabama State University

1. Operation and Maintenance:

(a) Instruction	5,215,310
(b) Libraries	670,860
(c) Academic Support (excl. Libr.)	511,880
(d) Student Services	888,340
(e) Institutional Support	1,259,780
(f) Operation and Maintenance of Physical Plant	1,337,810
(g) Scholarships and Fellowships .	3,807,340
(h) Auxiliary Enterprises	2,424,780
(i) Research	93,610
(j) Public Service	93,820

(k) Debt Service	920,000
(l) Support personnel salary increases	250,000

SOURCE OF FUNDS:

(1) ASETF	7,368,175		
(2) Federal Funds		4,271,910	
(3) Other Sources		<u>5,833,445</u>	
Total Alabama State University .	7,368,175	10,105,355	17,473,530

IV. Board of Trustees of Auburn University

A. Auburn University

1. Operation and Maintenance:

(a) Instruction	30,016,035
(b) Research	5,987,159
(c) Public Service	4,036,563
(d) Libraries	3,581,220
(e) Academic Support (excl. Libr.)	3,310,474
(f) Student Services	3,273,554
(g) Institutional Support	4,651,892
(h) Operation and Maintenance of Physical Plant	7,476,079
(i) Scholarships and Fellowships .	1,400,000
(j) Auxiliary Enterprises	15,040,000

SOURCE OF FUNDS:

(1) ASETF	34,962,440		
(2) Federal Funds		152,350	
(3) Other Sources		43,637,906	
(4) State Funds		<u>20,280</u>	
Total Operation and Maintenance	34,962,440	43,810,536	78,772,976

2. School of Nursing:

(a) Instruction	500,000
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SOURCE OF FUNDS:

(1) ASETF	<u>500,000</u>		
Total School of Nursing	500,000		500,000

3. Educational Television:

(a) Instruction	352,068
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SOURCE OF FUNDS:

(1) ASETF	<u>352,068</u>		
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Total Educational Television	352,068		352,068
4. Center for Vocational Teacher Educational Training:			
(a) Instruction			500,000
SOURCE OF FUNDS:			
(1) ASETF	<u>500,000</u>		
Total Center for Vocational Teacher Educational Training .	500,000		500,000
5. Clinical Psychology:			
(a) Instruction			103,950
(b) Equipment—Other than Automotive			6,050
SOURCE OF FUNDS:			
(1) ASETF	<u>110,000</u>		
Total Clinical Psychology	110,000		110,000
6. Agricultural Experiment Station (Including Wildlife):			
(a) Research			14,609,845
(b) Institutional Support			618,350
(c) Operation and Maintenance of Physical Plant			286,953
SOURCE OF FUNDS:			
(1) ASETF	7,224,277		
(2) Federal Funds		5,546,341	
(3) Other Sources		2,550,000	
(4) State Funds		<u>194,530</u>	
Total Agriculture Experiment Station	7,224,277	8,290,871	15,515,148

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the Director of the Agriculture Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1979.

The funds provided in this sub-section (a) shall be used for the support of researchers, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the

with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researchers and experiments on other similar important agricultural and economic problems hav-

ing for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

7. Engineering Experimental Station:

(a) Research	812,232
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SOURCE OF FUNDS:

(1) ASETF	<u>812,232</u>
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Total Engineering Experimental Station	812,232	812,232
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8. Cooperative Extension Service:

(a) Public Service	17,293,319
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SOURCE OF FUNDS:

(1) ASETF	7,893,538
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(2) Federal Funds	7,872,700
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(3) Local Funds	<u>1,527,081</u>
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Total Cooperative Extension Service	7,893,538	9,399,781	17,293,319
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production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaptation and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researchers and experiments dealing with forest production, management and use; for researchers dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researchers to discover new uses of land; for the provisions of neces-

sary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation

9. Cooperative Extension Service—Retirement:

(a) Public Service		1,022,840
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SOURCE OF FUNDS:

(1) ASETF	1,022,840	
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(2) Other Sources		
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Total Cooperative Extension Service—Retirement	1,022,840	1,022,840
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The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

10. Public Service, Research and Extension:

(a) Public Service		346,841
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SOURCE OF FUNDS:

(1) ASETF	<u>346,841</u>	
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Total Public Service, Research and Extension	346,841	346,841
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11. Energy Research		250,000
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SOURCE OF FUNDS:

(1) ASETF	<u>250,000</u>	
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Total Energy Research	250,000	250,000
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TOTAL AUBURN UNIVERSITY	53,974,236	61,501,188	115,475,424
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B. Auburn University at Montgomery:

1. Operations and Maintenance:

(a) Instruction		4,516,113
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(b) Research		87,405
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(c) Public Service		1,801,705
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(d) Libraries		314,216
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(e) Academic Support (excl. Libr.)	245,453
(f) Student Services	345,521
(g) Institutional Support	515,122
(h) Operation and Maintenance of Physical Plant	1,146,296
(i) Scholarships and Fellowships .	293,295
(j) Debt Service	60,314

SOURCE OF FUNDS:

(1) ASETF	5,281,493		
(2) Federal Funds		1,621,100	
(3) State Funds		45,000	
(4) Other Sources		<u>2,377,847</u>	
Total Operation and Maintenance	5,281,493	4,043,947	9,325,440

2. Montgomery Area Community Health Science Institute:

(a) Public Service	127,769
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SOURCE OF FUNDS:

(1) ASETF	<u>127,769</u>		
Total Montgomery Area Commu- nity Health Science Institute ..	127,769		127,769

3. Public Service Research and Ex-
tensions (Center for Government
& Public Affairs):

(a) Public Services	158,400
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SOURCE OF FUNDS:

(1) ASETF	150,000		
(2) Other Sources		<u>8,400</u>	
Total Public Service Research and Extensions (Center for Govern- ment and Public Affairs)	150,000	8,400	158,400

4. School of Nursing:

(a) Instruction	250,000
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SOURCE OF FUNDS:

(1) ASETF	<u>250,000</u>		
Total School of Nursing	250,000		250,000

TOTAL AUBURN AT MONT- GOMERY	5,809,262	4,052,347	9,861,609
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V. Board of Trustees of Jackson-
ville State University:

A. Jacksonville State University

1. Operations and Maintenance

(a) Instruction	7,772,548
(b) Public Service	64,172
(c) Libraries	1,061,468
(d) Academic Support (excl. Libr.)	499,736
(e) Student Services	853,172
(f) Institutional Support	370,304
(g) Operation and Maintenance of Physical Plant	2,310,978
(h) Scholarships and Fellowships	315,000
(i) Debt Service	515,000

SOURCE OF FUNDS:

(1) ASETF	10,272,378		
(2) State Funds		160,000	
(3) Other Sources		<u>3,230,000</u>	
Total Operations and Maintenance	10,372,378	3,390,000	13,762,378

2. Gadsden Program:

(a) Instruction	465,622
(b) Public Service	8,000
(c) Libraries	38,000
(d) Academic Support (excl. Libr.)	18,000
(e) Student Services	15,000
(f) Operation and Maintenance of Physical Plant	50,000

SOURCE OF FUNDS:

(1) ASETF	484,622		
(2) Other Sources		<u>110,000</u>	
Total Cooperative University Upper Division (formerly Gadsden Prog.)	484,622	110,000	594,622

3. Nursing Scholarships:

(a) Scholarships and Fellowships	18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>		
Total Nursing Scholarships	18,000		18,000

(To be expended in accordance with
Act No. 2288, 1971 Regular Ses-
sion.)

4. United Cerebral Palsy Develop-
ment Center for East Central Al-
abama

100,000

SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>		
Total United Cerebral Palsy Development Center for East Central Alabama	100,000		100,000
5. For Vocational Teacher Training			100,000

SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>		
Total Vocational Teacher Training	<u>100,000</u>		<u>100,000</u>

TOTAL JACKSONVILLE STATE UNIVERSITY	11,075,000	3,500,000	14,575,000
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A. Livingston University:

1. Operation and Maintenance:

(a) Instruction			1,634,247
(b) Libraries			173,902
(c) Academic Support (excl. Libr.)			196,472
(d) Student Services			224,790
(e) Institutional Support			630,208
(f) Operation and Maintenance of Physical Plant			891,821
(g) Scholarships and Fellowships .			25,646
(h) Auxiliary Enterprises			1,078,000
(i) For Federal Programs			189,800

SOURCE OF FUNDS:

(1) ASETF	3,211,782		
(2) Federal Funds		189,800	
(3) Local Funds		<u>1,643,304</u>	
Total Operation and Maintenance	3,211,782	1,833,104	5,044,886

2. Nursing Scholarships:

(a) Scholarships and Fellowships			18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>		
Total Nursing Scholarships	<u>18,000</u>		<u>18,000</u>

TOTAL LIVINGSTON UNIVERSITY	3,229,782	1,833,104	5,062,886
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VII. Board of Trustees of University of Montevallo:

A. University of Montevallo:

1. Operations and Maintenance:

(a) Instruction	2,999,975
(b) Research	50,000
(c) Public Service	89,456
(d) Libraries	249,691
(e) Academic Support	372,312
(f) Student Services	392,952
(g) Institutional Support	807,390
(h) Operation and Maintenance of Physical Plant	1,546,618
(i) Scholarships and Fellowships ..	77,070
(j) Hospitals	306,080
(k) Auxiliary Enterprises	1,966,651

SOURCE OF FUNDS:

(1) ASETF	4,975,198		
(2) State Funds		85,000	
(3) Federal Funds		323,959	
(4) Other Sources		<u>3,474,038</u>	
Total Operations and Maintenance	4,975,198	3,882,997	8,858,195

2. School for Aphasic Children:

(a) Instruction	276,072
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SOURCE OF FUNDS:

(1) ASETF	199,464		
(2) Federal Funds		3,000	
(3) Other Sources		<u>73,608</u>	
Total School for Aphasic Children	199,464	76,608	276,072

3. Highway Safety Program:

(a) Instruction	127,788
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SOURCE OF FUNDS:

(1) ASETF	125,714		
(2) Other Sources		<u>2,074</u>	
Total Highway Safety Program ..	125,714	2,074	127,788

4. Communications Center:

(a) Public Service	18,178
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SOURCE OF FUNDS:

(1) ASETF	<u>18,178</u>		
Total Communications Center ...	18,178		18,178

5. For Vocational Teacher Training			50,000
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SOURCE OF FUNDS:

(1) ASETF	<u>50,000</u>		
Total Vocational Teacher Training	<u>50,000</u>		<u>50,000</u>

TOTAL UNIVERSITY OF MONTEVALLO	5,368,554	3,961,679	9,330,233
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VIII. Board of Trustees of University of North Alabama:

A. University of North Alabama:

1. Operations and Maintenance:

(a) Instruction			5,219,942
(b) Research			106,350
(c) Public Service			51,130
(d) Libraries			487,000
(e) Academic Support (excl. Libr.)			629,000
(f) Student Services			835,660
(g) Institutional Support			1,147,000
(h) Operation and Maintenance of Physical Plant			1,636,200
(i) Scholarships and Fellowships .			60,439
(j) Debt Service			170,700

SOURCE OF FUNDS:

(1) ASETF	7,000,000		
(2) Federal Funds		284,680	
(3) Local Funds		85,000	
(4) Other Sources		<u>2,973,741</u>	
Total Operation and Maintenance	7,000,000	3,343,421	10,343,421

2. Auxiliary Enterprises:

(a) Auxiliary Enterprises			2,544,321
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SOURCE OF FUNDS:

(1) Other Sources		<u>2,544,321</u>	
Total Auxiliary Enterprises		2,544,321	2,544,321

3. Nursing School Scholarships:

(a) Scholarships and Fellowships			18,000
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SOURCE OF FUNDS:

(1) ASETF	<u>18,000</u>		
Total Nursing School Scholarships	18,000		18,000

(To be expended in accordance with Act No. 2304, 1971 Regular Session.)

TOTAL UNIVERSITY OF NORTH ALABAMA	7,018,000	5,887,742	12,905,742
IX. Board of Trustees of University of South Alabama:			
A. University of South Alabama:			
1. Operations and Maintenance:			
(a) Instruction			8,120,663
(b) Research			175,488
(c) Public Service			49,267
(d) Libraries			416,050
(e) Academic Support (excl. Libr.)			458,281
(f) Student Services			1,272,356
(g) Institutional Support			1,216,059
(h) Operations and Maintenance of Physical Plant			2,137,653
(i) Scholarships and Fellowships ..			275,181
(j) Debt Service			1,499,333
(k) Capital Outlay			113,283
(l) Equipment—Other than Automotive			508,199
(m) Automotive Equipment			19,110
(n) Transfers			190,000
SOURCE OF FUNDS:			
(1) ASETF	9,852,713		
(2) State Funds		123,353	
(3) Federal Funds		481,400	
(4) Other Sources		<u>5,993,457</u>	
Total Operations and Maintenance	9,852,713	6,598,210	16,450,923
2. Statewide Medical Education:			
(a) Instruction			187,824
SOURCE OF FUNDS:			
(1) ASETF	<u>187,824</u>		
Total Statewide Medical Education	187,824		187,824
3. Ambulatory Care:			
(a) Academic Support (excl. Libr.)			99,304
SOURCE OF FUNDS:			
(1) ASETF	<u>99,304</u>		
Total Ambulatory Care	99,304		99,304
4. Family Practice Residency Program:			

(a) Instruction	423,316
(b) Operations and Maintenance of Physical Plant	4,880
(c) Equipment—Other than Au- tomotive	54,804
(d) Transfers	94,000

SOURCE OF FUNDS:

(1) ASETF	<u>577,000</u>	
Total Family Practice Residency Programs	577,000	577,000

The above appropriation shall be expended for Rural Family Practice Training Programs not limited to but including Family Practice Residency in Baldwin County, Family Practice Training Center in Pike County and start-up costs for Family Practice Residency Program in Dothan.

5. College of Medicine:

(a) Instruction	6,320,483
(b) Research	1,073,449
(c) Public Service	24,707
(d) Libraries	408,000
(e) Academic Support	386,817
(f) Student Services	125,262
(g) Instructional Support	869,353
(h) Operations and Maintenance of Physical Plant	1,228,181
(i) Scholarships and Fellowships ..	35,811
(j) Capital Outlay	192,695
(k) Equipment—Other than Au- tomotive	192,695
(l) Transfers	1,791,434

SOURCE OF FUNDS:

(1) ASETF	8,459,329		
(2) Federal Funds		1,262,506	
(3) Other Sources		<u>3,127,052</u>	
Total College of Medicine	8,259,329	4,389,558	12,648,887

6. University Medical Center

(Includes University Hospital and Clinic)

(a) Medical Center 25,971,366

SOURCE OF FUNDS:

(1) ASETF 1,677,427

(2) Other Sources 24,293,939

Total University Medical Center 1,677,427 24,293,939 25,971,366

7. Newborn Growth and Development Program (formerly Infant and Maternal Care):

(a) Instruction 79,097

SOURCE OF FUNDS:

(1) ASETF 79,097

Total Infant and Maternal Care . 79,097 79,097

8. Human and Clinical Nutrition Program

(a) Instruction 25,000

SOURCE OF FUNDS:

(1) ASETF 25,000

Total Human and Clinical Nutrition Prog. 25,000 25,000

9. Division of Allied Health:

(a) Instruction 456,770

(b) Institutional Support 74,384

(c) Equipment—Other than Automotive 57,000

(d) Transfers 96,145

SOURCE OF FUNDS:

(1) ASETF 586,432

(2) Other Sources 97,867

Total Division of Allied Health .. 586,432 97,867 684,299

10. School of Nursing:

(a) Instruction 500,706

(b) Institutional Support 15,000

(c) Equipment—Other than Automotive 30,000

(d) Transfers 99,942

SOURCE OF FUNDS:

(1) ASETF 468,864

(2) Federal Funds 25,500

(3) Other Sources		<u>151,284</u>	
Total School of Nursing	468,864	176,784	645,648
11. Nursing Scholarships:			
(a) Scholarships and Fellowships			22,539
SOURCE OF FUNDS:			
(1) ASETF	18,000		
(2) Other Sources		<u>4,539</u>	
Total Nursing Scholarships	18,000	4,539	22,539
(To be expended in accordance with Act No. 2304, 1971 Regular Ses- sion.)			
12. Research and Public Service Extension:			
(a) Research			40,000
(b) Public Service			51,398
(c) Equipment—Other than Au- tomotive			10,000
SOURCE OF FUNDS:			
(1) ASETF	91,398		
(2) Other Sources		<u>10,000</u>	
Total Research and Public Service Extension	91,398	10,000	101,398
13. Reproductive Health Sciences Center:			
(a) Instruction			25,000
(b) Equipment—Other than Au- tomotive			25,000
SOURCE OF FUNDS:			
(1) ASETF	<u>50,000</u>		
Total Reproductive Health Sci- ences Center	50,000		50,000
14. Paramedic Training Program:			
(a) For Operations and Mainte- nance			125,000
SOURCE OF FUNDS:			
(1) ASETF	<u>125,000</u>		
Total Paramedic Training Program	125,000		125,000
15. Auxiliary Enterprises:			
(a) Auxiliary Enterprises			4,549,481
SOURCE OF FUNDS:			

(1) Other Sources	4,549,481		
Total Auxiliary Enterprise	4,549,481	4,549,481	
16. Basic Medical Sciences:			
(a) Instruction		109,323	
(b) Research	20,347		
(c) Libraries		16,273	
(d) Academic Support		25,213	
(e) Student Services		3,045	
(f) Institutional Support		10,162	
(g) Operation and Maintenance of Physical Plant		30,037	
SOURCE OF FUNDS:			
(1) ASETF	200,000		
(2) Other Sources		14,400	
Total Basic Medical Sciences	200,000	14,400	214,400
TOTAL UNIVERSITY OF SOUTH ALABAMA	22,297,388	40,120,378	62,417,766
(These appropriations under Section IX, University of South Alabama, are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama whether acting on their behalf or for others are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)			
X. Board of Trustees of Troy State University			
A. Troy State University:			
1. Operations and Maintenance:			
(a) Instruction		4,176,400	
(b) Research		32,800	
(c) Libraries		377,900	
(d) Academic Support (excl. Libr.)		259,800	
(e) Student Services		831,200	
(f) Institutional Support		1,090,300	
(g) Operation and Maintenance of Physical Plant		1,300,000	

(h) Scholarships and Fellowships	360,000
(i) Public Service	221,800
(j) Auxiliary Enterprises	3,265,318
(k) Capital Outlay	365,000
(l) Debt Services	245,000
(m) Transfer to Plant Fund	100,000
(n) For Vocational Teacher Training	100,000

SOURCE OF FUNDS:

(1) ASETF	6,508,599		
(2) Federal Funds		500,000	
(3) Other Sources		<u>5,716,919</u>	
Total Operations and Maintenance	6,508,599	6,216,919	12,725,518

2. Operation and Maintenance at
Ft. Rucker/Dothan:

(a) Instruction	1,137,700
(b) Libraries	114,900
(c) Academic Support (excl. Libr.)	154,700
(d) Student Services	131,200
(e) Institutional Support	172,500
(f) Operation and Maintenance of Physical Plant	116,626
(g) Scholarships and Fellowships	20,000
(h) Auxiliary Enterprises	145,000
(i) Capital Outlay	115,000
(j) Debt Service	80,000

SOURCE OF FUNDS:

(1) ASETF	870,000		
(2) Other Sources		<u>1,317,626</u>	
Total Operations and Maintenance at Ft. Rucker/Dothan	870,000	1,317,626	2,187,626

3. Operations and Maintenance in
Montgomery:

(a) Instruction	1,271,300
(b) Public Service	66,500
(c) Libraries	15,000
(d) Academic Support (excl. Libr.)	145,000
(e) Student Services	235,000
(f) Institutional Support	495,000

(g) Scholarships and Fellowships			5,000
(h) Auxiliary Enterprises			220,000
(i) Capital Outlay			50,000
SOURCE OF FUNDS:			
(1) ASETF	222,800		
(2) Other Sources		<u>2,280,000</u>	
Total Operations and Maintenance in Montgomery	222,800	2,280,000	2,502,800
4. Nursing Scholarships:			
(a) Scholarships and Fellowships			36,000
SOURCE OF FUNDS:			
(1) ASETF	<u>36,000</u>		
Total Nursing Scholarships	36,000		36,000
(To be expended in accordance with Act No. 2292, 1971 Regular Session.)			
5. Operation and Maintenance of Troy State University's Bay Minette Branch:			
(a) Instruction			50,000
SOURCE OF FUNDS:			
(1) ASETF	<u>50,000</u>		
Total Operation and Maintenance at Bay Minette's Branch	50,000		50,000
6. Operation and Maintenance of BSN Program in Montgomery			
			250,000
SOURCE OF FUNDS:			
(1) ASETF	<u>250,000</u>		
Total Nursing School—Montgomery	<u>250,000</u>		<u>250,000</u>
TOTAL TROY STATE UNIVERSITY	7,937,399	9,814,545	17,751,944
XI. Board of Trustees for Alabama Institute for Deaf and Blind:			
A. Alabama Institute for Deaf and Blind:			
1. Operation and Maintenance:			
(a) Instructions			1,710,440
(b) Libraries			72,368
(c) Student Services			379,151
(d) Institutional Support			149,190

(e) Operation and Maintenance of Physical Plant	1,337,543
(f) Scholarships and Fellowships ..	1,800
(g) Infirmary Speech and Hearing	133,233
(h) Auxiliary Enterprises	2,179,651

SOURCE OF FUNDS:

(1) ASETF	3,696,500		
(2) Federal Funds		<u>2,266,876</u>	
Total Alabama Institute for Deaf and Blind	3,696,500	2,266,876	5,963,376

B. Department of Adult Blind and Deaf:

1. Operation and Maintenance:

(a) Instruction	1,105,085
(b) Libraries	77,133
(c) Academic Support (excl. Libr.)	32,441
(d) Student Services	805,927
(e) Institutional Support	259,251
(f) Operation and Maintenance of Physical Plant	312,833
(g) Auxiliary Enterprises	5,896,247
(h) Equipment—Other than Automotive	63,466
(i) Automotive Equipment	12,501

SOURCE OF FUNDS:

(1) ASETF	1,518,500		
(2) Federal Funds		<u>2,017,349</u>	
(3) Other Sources		<u>5,029,035</u>	
Total Alabama Institute for Deaf and Blind	<u>1,518,500</u>	<u>7,046,384</u>	<u>8,564,884</u>

GRAND TOTAL ALABAMA INSTITUTE FOR DEAF AND BLIND

5,215,000 9,313,260 14,528,260

Also each certificated employee shall be allowed two hundred forty-seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan(s) and the carrier(s) of the hospital-medical insurance.

Of the appropriation above three hundred dollars (\$300) per teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, based on this budget,

recommend to the President the amount to be allotted to each teacher for the operation of the Instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. Of the amount appropriated above for the fiscal year ending September 30, 1979, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary increases as follows:

Teachers holding Rank "AA" or equivalent certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I or its equivalent teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II or its equivalent teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III or its equivalent teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV or its equivalent teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

In addition to the salary now received by support personnel, full-time personnel shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on number of hours worker per day.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

(a) Instruction	1,256,227
(b) Instructional Support	105,072
(c) Administrative Support	442,221
(d) Student Services	144,347
(e) Operation and Maintenance of Physical Plant	362,141
(f) Auxiliary Enterprises	323,122

SOURCE OF FUNDS:

(1) ASETF	1,500,000		
(2) Federal Funds		122,250	
(3) Other Sources		<u>1,010,880</u>	
TOTAL ATHENS STATE COL- LEGE	1,500,000	1,133,130	2,633,130

Section 6. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

1. George C. Wallace Community College at Dothan:	
For Operations and Maintenance	125,000
2. Gadsden State Junior College:	
For Operations and Maintenance	125,000
Section 7. Other Educational Appropriations:	
1. George C. Wallace Community College—Technical Branch—Dothan:	
For a nursing school	200,000
2. George Corley Wallace State Community College (Selma):	
For Operations and Maintenance at the facility formerly Craig AFB	116,300
3. George Corley Wallace State Community College—Technical Branch (Selma):	
For Operations and Maintenance at the facility formerly Craig AFB	324,000
4. Alabama Academy of Honor ..	3,500
5. S. D. Bishop State Junior College—For Operation & Maintenance—Mortuary Science	84,559

Section 8. There is hereby appropriated from the Alabama Special Educational Trust Fund the sum of three million dollars (\$3,000,000) to be used for the creation and maintenance of a student assistance program to be administered by the Alabama Commission on Higher Education for students of certain approved institutions.

Section 9.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,882,899 to be expended under the programmatic area as shown under subsection 12 on page 52.

(2) There is hereby transferred from the Special Mental Health Trust Fund \$487,250 to be expended under the programmatic area as shown under subsection 13 on page 52.

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Section 257, 258, and 259

of the Constitution in 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

"Section 10. Each appropriation made herein shall be reduced by .0052 percent or such other percentage as may be necessary to limit the expenditures from the ASETF to an amount that does not exceed available revenues. Provided however, that if revenues are available to pay each appropriation made herein in full then all appropriation shall be paid in full.

Section 11. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefore provided, that all appropriations and funds made available to the University of Alabama at Tuscaloosa, University of Alabama in Birmingham, University of Alabama in Huntsville, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 12. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation.

Section 13. The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, which holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 14. This Act shall become effective on October 1, 1978.

CONFERENCE REPORT

On motion of Mr. Owen, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Yeas 28; Nays 6.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Foshee, Goodwin, Higginbotham, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Powell, Proctor, Roberts, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—28

Nays:

Messrs. Baker, Fine, Jones, McDonald (S), Perry, St. John.

—6

RESOLUTION

Messrs. Fine, Adams, Baker, Bank, Clemon, Edwards, Ellis, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop and Wilson offered the following Senate Resolution, to-wit:

S. R. 41. MOURNING THE DEATH OF SENATOR JAMES B. ALLEN.

WHEREAS, the Legislature of Alabama has been grievously saddened by the death of our beloved United States Senator, James B. Allen, on June 1, 1978, at the age of 65; and

WHEREAS, James Browning Allen was born on December 28, 1912, at Gadsden in Etowah County, Alabama, son of George C. and Mary Ethel Browning Allen; he was educated in the public schools of Gadsden and was a graduate of the University of Alabama School of Law; and

WHEREAS, a practicing attorney from 1936 until 1968, Jim Allen, first and foremost, was a man truly dedicated to morality of principle, devoting some 30 years of his life in service to his state, his nation and its people; he was a member of the Alabama House of Representatives, as was his father before him, and he also was a member of the Alabama Senate who later became our state's first Lieutenant Governor to be twice elected to that office; and

WHEREAS, he served our nation as well, both as a member of the United States Navy during World War II and as United States Senator, first elected in 1968 to be overwhelmingly re-elected by his fellow Alabamians in 1974; and

WHEREAS, even as a freshman senator, James Allen rapidly rose to prestige, power and prominence, not only as that body's acknowledged master of parliamentary procedure, but as a sane and sensible voice ever raised in protest of policies and proposals contrary to his innate sense of right and reason; and

WHEREAS, Senator Allen's greatness was in his goodness; he loved and was loved by those he served, those who now grievously mourn his death with a deep sense of sadness and loss; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That even as we stand in tribute to his accomplishments, we bow in sorrow, recognizing that

the death of The Honorable James Browning Allen leaves seeds sown in hope still to be nurtured by others that we may further reap the rewards of his labors of a lifetime.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Mrs. Maryon Mullins Allen and to James B. Allen, Jr., that they may know of our shared sorrow in the loss of their husband and father, a great American statesman and our good friend.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate bill:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Pegues, Falkenburg and White.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 171. To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bills.

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

Also:

H. 174. To exempt homesteads of persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind, from all ad valorem property taxes levied by the state of Alabama; to exempt principal residences of persons over 65 years of age or who are totally disabled from all ad valorem taxation in the state; to amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975; and to provide an effective date for the act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Bill Number 65, without his signature and approval and with a suggested Executive Amendment.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

Done this 4th day of August 1978.

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 65 without my signature and approval and with the following suggested Executive Amendments.

Amend Section 1 by deleting the following language:

"Eighty percent (80%) of the total in lieu of taxes payments are distributed to these local governments. Payments will continue at this level of distribution each year thereafter."

and insert in lieu thereof the following:

"Seventy percent (70%) is obtained, and in the fiscal year beginning October 1, 1985, the amount shall be increased five percent (5%) until Seventy-five percent (75%) of the total in lieu of taxes payments are distributed to these local governments. Payments will continue at this level of distribution each year thereafter."

I further suggest that Section 1 be amended by adding the following:

"Five percent (5%) of the total amount the state receives in lieu of tax payments from the TVA Authority shall be distributed back to the counties which prohibit the sale of alcoholic beverages and are not served by the TVA Authority and each such county's share shall be on the same proportionate basis as each such dry non T.V.A. served county received in fiscal year 1979 from the State Alcoholic Beverage Control Board as that county's share of alcoholic beverage taxes and profits when compared to the total amount received by all dry non T.V.A. served counties during the same fiscal year.

"Any county which is eligible to receive funds under the provisions of Section 2 of this act and which prohibits the sale of alcoholic beverages shall receive from that portion of in lieu of tax payment funds not less than that sum which such county would receive if that county were eligible for payments from the distribution, by the Alabama Alcoholic Beverage Control Board, of taxes and profits from the sale of alcoholic beverages for the previous fiscal year."

I further suggest that Section 2 be amended by adding in the first paragraph immediately following the words "of the Tennessee Valley Authority is located" the following words:

"Any county receiving a share of said payments that has within its boundaries a municipality or part of a municipality that is served in whole or in part by TVA, shall share the county's payments with said municipality in the same ratio that the TVA served population of the municipality bears to the total TVA served population of the entire county."

I further suggest that Section 2 be amended by deleting in its entirety the following language:

"Any portion of a counties share of said payments is to be paid to the municipalities who are served by TVA in the same proportion that the population of the served municipalities bears to the population of those who are served by TVA within the county."

The adoption of the above and foregoing suggested Executive Amendments will remove my objections to this Bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor to the Bill, H. B. 65, by a vote of a majority of the whole number elected to the House, said votes being: Yeas 81, Nays 17.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a majority of the whole number elected to the House, said vote being: Yeas 67, Nays 31.

And said Bill, H. 65, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Peden, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 65, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 30; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Peden, Perloff, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Wilson.

—30

Nay: Mr. Waldrop.

—1

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 12. MOURNING THE DEATH OF SENATOR JAMES B. ALLEN.

Also:

S. J. R. 22. COMMENDING GADSDEN TIMES STAFF WRITER, VIRGINIA BROCK, ON RECENT HONORS RECEIVED.

Also:

S. J. R. 27. NAMING THE INDUSTRIAL TRAINING CENTER TO BE CONSTRUCTED AT BESSEMER STATE TECHNICAL COLLEGE, "MILLSAP INDUSTRIAL TRAINING CENTER."

Also:

S. J. R. 33. STATING THE ALABAMA LEGISLATURE'S APPROVAL AND FULL SUPPORT OF THE ALABAMA SUNBELT CONFERENCE.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON CONFERENCE ON SENATE BILL 49

We the Committee of Conference appointed to reconcile the differences of the two houses concerning Senate Bill 49 as amended have met in conference and have agreed to the following report:

Amend Senate Bill 49 as amended by deleting the following amendment:

"Section 2. No health insurance company public or private which is engaged in the business of selling to the public, insurance which covers the same medical services as those provided by the Alabama Medicaid Program shall be eligible to contract with the Medical Services Administration as its fiscal intermediary."

Re-number the subsequent sections chronologically.

EARL GOODWIN,

PAT VACCA,

BILL KING,
Senate Conferees.

DEWEY WHITE, JR.,

R. LEIGH PEGUES,

FRANCIS FALKENBURG,
House Conferees.

CONFERENCE REPORT

On motion of Mr. Goodwin, the Senate concurred in and adopted the foregoing Report to the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Goodwin, Higginbotham, Jones, King, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Peden, Perry, Proctor, St. John, Shelby, Stewart, Teague, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 39. COMMENDING WILLIAM A. JACKSON FOR HIS OUTSTANDING SERVICE AS LEGAL ADVISOR TO THE GOVERNOR.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

And said bill as thus amended by the report of the Committee on Conference was again read at length and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 172. To provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at

its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the department of revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act.

Also:

H. 170. To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 171. To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

Also:

H. 174. To exempt homesteads of persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind, from all ad valorem property taxes levied by the state of Alabama; to exempt principal residences of persons over 65 years of age or who are totally disabled from all ad valorem taxation in the state; to amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975; and to provide an effective date for the act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits,

including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. B. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

And said bill as thus amended by the report of the Committee on Conference was again read at length and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

Also:

S. J. R. 12. MOURNING THE DEATH OF SENATOR JAMES B. ALLEN.

IN MEMORIAM

JAMES BROWNING ALLEN

ALABAMA HOUSE OF REPRESENTATIVES, 1939-1943, 1943-1945

ALABAMA SENATE, 1947-1951

LIEUTENANT GOVERNOR, 1951-1955, 1963-1967

U. S. SENATOR, 1968-1978

Also:

S. J. R. 22. COMMENDING GADSDEN TIMES STAFF WRITER, VIRGINIA BROCK, ON RECENT HONORS RECEIVED.

Also:

S. J. R. 27. NAMING THE INDUSTRIAL TRAINING CENTER TO BE CONSTRUCTED AT BESSEMER STATE TECHNICAL COLLEGE, "MILLSAP INDUSTRIAL TRAINING CENTER."

Also:

S. J. R. 33. STATING THE ALABAMA LEGISLATURE'S APPROVAL AND FULL SUPPORT OF THE ALABAMA SUNBELT CONFERENCE.

Also:

S. J. R. 39. COMMENDING WILLIAM A. JACKSON FOR HIS OUTSTANDING SERVICE AS LEGAL ADVISOR TO THE GOVERNOR.

Also:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Also:

S. J. R. 24. COMMENDING COACH JIM GLOVER ON HIS OUTSTANDING CAREER.

U. W. CLEMON,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. J. R. 1

S. J. R. 9

Delivered to the Governor, August 4, 1978, at 9:45 A.M.

S. 8

S. 23

S. 48

S. 57

S. 64

S. 71

S. 72

S. 86

S. J. R. 6

S. J. R. 8

S. J. R. 10

S. J. R. 14

S. J. R. 15

S. J. R. 17

S. J. R. 19

S. J. R. 21

S. J. R. 29

S. 41

S. 50

S. 7

S. 13

S. 81

Delivered to the Governor, August 4, 1978, at 5:05 P.M.

S. 15

Delivered to the Secretary of State, August 4, 1978, at 5:06 P.M.

S. 1

S. 21

S. 36

S. 38

S. 39

S. 52

S. 70

S. 79

Delivered to the Governor, August 4, 1978, at 7:45 P.M.

S. 49

S. J. R. 12

S. J. R. 22

S. J. R. 27

S. J. R. 33

S. J. R. 39

S. 56

S. J. R. 24

Delivered to the Governor, August 4, 1978, at 11 o'clock P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Fourth and Fifth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

U. W. CLEMON,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clemon, the foregoing report was concurred in and the Journals of the Senate for the Fourth and Fifth Legislative Days were approved by the Senate.

ADJOURNMENT

At 9:15 P.M., on motion of Mr. Edwards, the Senate adjourned sine die.

/s/ JERE BEASLEY

Lieutenant Governor and President and
Presiding Officer of the Senate

ATTEST:

/s/ McDOWELL LEE,
Secretary of the Senate

IN THE LEGISLATURE OF THE STATE OF ALABAMA
STATE SENATE
SECOND EXTRAORDINARY SESSION, 1978
LOBBYIST REGISTRATION

(In accordance with the provisions of Senate Rule 79)

Akel, Mary Jane, Alabama Education Association.

Allen, Walter L., Association of Alabama Cemeteries.

Bailey, George F., Alabama Railroad Association.

Balch, S. Eason, Jr., Alabama Power Company.

Banks, P. H. "Pat", National Federation of Independent Business.

Bethea, Joseph (Joe) P., Chevron U.S.A. Inc. and its parent corporation,
Standard Oil Company of California & subsidiaries.

Brand, James B. Jr., Associated Industries of Alabama.

Britton, James Judson, Alabama Chamber of Commerce.

Brown, David C., University of North Alabama.

Burks, A. A., Alabama A & M University.

Carlton, John P., City of Birmingham.

Cobb, William J., South Central Bell.

Cunningham, R. J., Alabama Association of Life Underwriters; Ala-
bama Hotel & Motel Association; Professional Insurance Agents.

Davidson, Rudolph, University of Alabama in Birmingham.

Day, David L., J. O. Brooks, Health Education Center.

Dolbare, Jeffery B., Alabama Education Association.

Engelhardt, Sam M., Jr., Alabama Power Company.

Finley, Robert, Alabama Department of Public Health.

Gibson, Donald J., Troy State University.

Hale, Morris Gresham, Mental Health.

Hamilton, D. N., Alabama League of Municipalities, Am. Rec. Ins. Asso-
ciation, Association of Clerks & Registers.

Harris, Patrick, Unified Judicial System.

Henderson, Anita F., Alabama Educational T.V. Commission.

Holcomb, Robert R., J. O. Brooks Health Education Center.

Holsembeck, Daniel, Auburn University in Montgomery.

Hooper, Perry O., Jr., Alabama Textile Manufacturers Association.

Hydrick, Robert T., The Mead Corporation.

Johnston, J. Reese, Jr., Jefferson County.

- Johnson, John B., Alabama Petroleum Council.
- Jordan, James V., III, W. M. Starke, Southern Natural Gas Company.
- Kelly, H. Boyd, Jr., Alabama Forestry Association, Hilton Watson.
- Knight, Vernon D., Alabama Optometric Association, Inc.
- McDonald, Charles, Alabama Retail Association.
- McGregor, Tom, Alabama Gas Corporation.
- Mann, Floyd H., University of Alabama.
- Meissno, Dan, West Alabama E.M.S., Inc.
- Mobley, Gilbert, Associated Industries of Alabama.
- O'Connor, William, Jr., Alabama Press Association.
- Poundstone, R. Emmett, III, Mental Health.
- Quinn, Randy, Alabama Association of School Boards.
- Reaves, Randolph P., Alabama Dental Association, Alabama Psychological Association, Division 1, Licensed Psychologists.
- Richardson, E. Clark, Alabama Power Company.
- Ritchie, James I., Alabama Trucking Association.
- Roquemore, Perry Crawford, Jr., Alabama League of Municipalities.
- Rowe, Charles, Jacksonville State University.
- Shumaker, Stephen R., Alabama Education Association.
- Simon, Otto E., City of Prichard.
- Smith, Joseph Wilson, Alabama Chamber of Commerce.
- Smith, Walter C., Alabama Chamber of Commerce.
- Strain, Robert E., U. S. Steel Corporation.
- Thiemonge, Frank, Jr., Alabama Safety Council, Inc.
- Tidwell, Charles R., J. O. Brooks Health Education Center.
- Tiffany, David M., University of South Alabama.
- Tyner, Larry, Weyerhaeuser Company.
- Underwood, Kenneth W., Jr., South Central Bell.
- Vaughan, Howard, Liberty National Life Insurance Company.
- Wasson, Don F., Alabama Mining Institute.
- Watkins, John F., Alabama League of Municipalities.
- Whitaker, Richard C., Medical Association of the State of Alabama.
- White, J. Herbert, Auburn University.
- Wilcox, Richard D., International Paper Company.
- Worthy, Mildred J., Alabama Education Association.

ROSTER OF THE SENATE OF ALABAMA**1978**

Jere Beasley, <i>Lieutenant Governor</i>	State Capitol, Montgomery
Joe Fine, <i>President Pro-Tem</i>	Russellville
McDowell Lee, <i>Secretary</i>	Montgomery
Mrs. William R. Lawley, Jr., <i>Chief Clerk</i>	Montgomery
First Senatorial District	
Oscar Ray Peden	225 Wilson Ave., Florence 35630
Second Senatorial District	
Joe Fine	P. O. Box 818, Russellville 35653
Third Senatorial District	
Bingham Edwards	P. O. Box 632, Decatur 35601
Fourth Senatorial District	
Finis St. John	P. O. Drawer K, Cullman 35055
Fifth Senatorial District	
Robert T. (Bob) Wilson	1501 First Ave., Jasper 35501
Sixth Senatorial District	
Albert McDonald	6800 Madison Pike, Huntsville 35806
Seventh Senatorial District	
Bill G. King	P. O. Box 382, Huntsville 35804
Eighth Senatorial District	
John Baker	Route 3, Rainsville 35986
Ninth Senatorial District	
Sid McDonald	P. O. Box 546, Arab 35016
Tenth Senatorial District	
Gerald W. Waldrop	181 Lakeshore Dr., (Rt. 10, Box 192A) Gadsden 35901
Eleventh Senatorial District	
George McMillan	1550 First National-Southern Natural Bldg., Birmingham 35203
Twelfth Senatorial District	
Paschal P. "Pat" Vacca	929-30 Frank Nelson Bldg., Birmingham 35203
Thirteenth Senatorial District	
J. Richmond Pearson	P. O. Box 11135, Birmingham 35202
Fourteenth Senatorial District	
Robert L. "Bob" Ellis, Jr.	509 Poplar Lane, Adamsville 35005
Fifteenth Senatorial District	
U. W. Clemon	2121 Building, Suite 1600 Birmingham 35203
Sixteenth Senatorial District	
Richard C. Shelby	324 First Federal Bldg., Tuscaloosa 35401

Seventeenth Senatorial District	
Eddie Hubert Gilmore	P. O. Box 546, Bessemer 35020
Eighteenth Senatorial District	
Lister Hill Proctor	121 N. Norton, Sylacauga 35150
Nineteenth Senatorial District	
John Teague	P. O. Box 427, Childersburg 35044
Twentieth Senatorial District	
Donald W. Stewart	P. O. Box 2182, Anniston 36201
Twenty-first Senatorial District	
T. D. (Ted) Little	P. O. Box 342, Auburn 36830
Twenty-second Senatorial District	
G. J. (Dutch) Higginbotham	P. O. Box 585, Opelika 36801
Twenty-third Senatorial District	
T. Dudley Perry	P. O. Box 419, Tuskegee 36083
Twenty-fourth Senatorial District	
Sam L. Adams	129 S. Oates, Dothan 36301
Twenty-fifth Senatorial District	
E.C. "Crum" Foshee	Route 3, Red Level 36474
Twenty-sixth Senatorial District	
Jerry Powell	116 Company St., Wetumpka 36092
Twenty-seventh Senatorial District	
Fred Jones	132 S. Perry St., Montgomery 36104
Twenty-eighth Senatorial District	
"Walking" Wendell Mitchell	P. O. Box 225, Luverne 36049
Twenty-ninth Senatorial District	
Earl Goodwin	P. O. Box 1039, Selma 36701
Thirtieth Senatorial District	
Bert Bank	#7 Burnt Pine, Rt. 2, Northport 35476
Thirty-first Senatorial District	
Maston Mims	Rt. One, Uriah 36480
Thirty-second Senatorial District	
L. D. (Dick) Owen, Jr.	1301 Forrest Park Avenue, Bay Minette 36507
Thirty-third Senatorial District	
Mike Perloff	257 St. Anthony St., Mobile 36603
Thirty-fourth Senatorial District	
L. W. "Red" Noonan	161 McGregor Ave., Mobile 36608
Thirty-fifth Senatorial District	
Bill Roberts	148 Tuscaloosa Street, Mobile 36607

**STANDING COMMITTEES
OF THE
ALABAMA STATE SENATE
1978**

FINANCE AND TAXATION

Owen, Chairman; Shelby, Vice-Chairman; Adams, Baker, Edwards, Fine, Gilmore, Jones, King, Mitchell, Pearson, Perloff, Powell, Stewart, Vacca, Waldrop, Wilson.

RULES

Clemon, Chairman; Mims, Vice-Chairman; Fine, Gilmore, Mitchell, Owen, Shelby.

JUDICIARY

St. John, Chairman; Mitchell, Vice-Chairman; Clemon, King, Little, A. McDonald, S. McDonald, McMillan, Peden, Perloff, Perry, Powell, Shelby, Vacca, Waldrop.

CONSTITUTION AND ELECTIONS

King, Chairman; Ellis, Vice-Chairman; Adams, Little, A. McDonald, S. McDonald, Noonan, Pearson, Peden, Perloff, Perry, Roberts, St. John, Vacca.

BUSINESS AND LABOR RELATIONS

Waldrop, Chairman; Little, Vice-Chairman; Ellis, Goodwin, A. McDonald, McMillan, Noonan, Powell, Stewart, Teague.

CONSERVATION

Pearson, Chairman; Adams, Vice-Chairman; Clemon, Higginbotham, Mims, Mitchell, Roberts, Stewart, Wilson.

EDUCATION

S. McDonald, Chairman; Clemon, Vice-Chairman; Adams, Bank, Ellis, Little, A. McDonald, Mitchell, Pearson, Peden, Perry, Powell, Roberts, Shelby, Waldrop.

HEALTH AND WELFARE

Bank, Chairman; Noonan, Vice-Chairman; Goodwin, A. McDonald, S. McDonald, McMillan, Powell, Waldrop.

BANKING

Fine, Chairman; Vacca, Vice-Chairman; Gilmore, Jones, Mitchell, Powell, Stewart, Teague, Wilson.

INSURANCE

Mitchell, Chairman; Teague, Vice-Chairman; Baker, Goodwin, King, Mims, Powell, Shelby, Wilson.

AGRICULTURE

Mims, Chairman; A. McDonald, Vice-Chairman; Adams, Baker, Bank, Edwards, Ellis, Goodwin, Little, Noonan, Perry, Vacca.

COMMERCE, TRANSPORTATION, AND UTILITIES

Gilmore, Chairman; McMillan, Vice-Chairman; Edwards, Fine, S. McDonald, Mims, Pearson, Teague, Wilson.

STATE GOVERNMENT

Jones, Chairman; Gilmore, Vice-Chairman; Bank, Clemon, Higginbotham, McMillan, Perloff, Shelby, St. John, Stewart.

LOCAL GOVERNMENT

Roberts, Chairman; Perry, Vice-Chairman; Baker, Bank, Ellis, Little, A. McDonald, Proctor, St. John, Vacca, Waldrop.

SEAPORTS AND INLAND WATERWAYS

Noonan, Chairman; Edwards, Vice-Chairman; Adams, Higginbotham, Jones, Peden, Perloff, Roberts, Wilson.

LOCAL LEGISLATION NO. 1

Baker, Chairman; Proctor, Vice-Chairman; Edwards, Jones, King, Mims, Noonan, Peden, Perloff.

LOCAL LEGISLATION NO. 2

Gilmore, Chairman; Vacca, Vice-Chairman; Clemon, Ellis, McMillan, Pearson, Proctor, Wilson.

STANDING COMMITTEE ASSIGNMENTS**FOR 1978****ALABAMA STATE SENATE****24th District**

SAM L. ADAMS—Vice-Chairman Conservation, Finance and Taxation, Constitution and Elections, Education, Agriculture, Seaports and Inland Waterways.

8th District

JOHN BAKER—Chairman Local Legislation No. 1, Finance and Taxation, Insurance, Agriculture, Local Government.

30th District

BERT BANK—Chairman Health & Welfare, Education, Agriculture; State Government, Local Government.

15th District

U. W. CLEMON—Chairman Rules, Vice-Chairman Education, Judiciary, Conservation, State Government, Local Legislation No. 2.

3rd District

BINGHAM EDWARDS—Vice-Chairman Seaports & Inland Waterways, Finance & Taxation, Agriculture, Commerce, Transportation & Utilities, Local Legislation No. 1.

14th District

ROBERT L. ELLIS, JR.—Vice-Chairman Constitution & Elections, Business & Labor Relations, Education, Agriculture, Local Government, Local Legislation No. 2.

2nd District

JOE FINE—Chairman Banking, Finance & Taxation, Rules, Commerce, Transportation & Utilities.

17th District

EDDIE HUBERT GILMORE—Chairman Commerce, Transportation & Utilities, Chairman Local Legislation No. 2, Vice-Chairman State Government, Finance & Taxation, Rules, Banking.

29th District

EARL GOODWIN—Business & Labor Relations, Health & Welfare, Insurance, Agriculture.

22nd District

G. J. (DUTCH) HIGGINBOTHAM—Constitution & Elections, Conservation, State Government, Seaports & Inland Waterways.

27th District

FRED JONES—Chairman State Government, Finance & Taxation, Banking, Seaports & Inland Waterways, Local Legislation No. 1.

7th District

BILL G. KING—Chairman Constitution & Elections, Finance & Taxation, Judiciary, Insurance, Local Legislation No. 1.

21st District

T. D. (TED) LITTLE—Vice-Chairman Business & Labor Relations, Judiciary, Constitution & Elections, Education, Agriculture, Local Government.

6th District

ALBERT McDONALD—Vice-Chairman Agriculture, Judiciary, Constitution & Elections, Business & Labor Relations, Education, Health & Welfare, Local Government.

9th District

SID McDONALD—Chairman Education, Judiciary, Constitution & Elections, Health & Welfare, Commerce, Transportation & Utilities.

11th District

GEORGE McMILLAN—Vice-Chairman Commerce, Transportation & Utilities, Judiciary, Business & Labor Relations, Health & Welfare, State Government, Local Legislation No. 2.

25th District

E.C. "CRUM" FOSHEE—

31st District

MASTON MIMS—Chairman Agriculture, Vice-Chairman Rules, Conservation, Insurance, Commerce, Transportation & Utilities, Local Legislation No. 1.

28th District

WENDELL MITCHELL—Chairman Insurance, Vice-Chairman Judiciary, Finance & Taxation, Rules, Conservation, Education, Banking.

34th District

L. W. NOONAN—Chairman Seaports & Inland Waterways, Vice-Chairman Health & Welfare, Constitution & Elections, Business & Labor Relations, Agriculture, Local Legislation No. 1.

32nd District

L. D. OWEN—Chairman Finance & Taxation, Rules.

13th District

J. RICHMOND PEARSON—Chairman Conservation, Finance & Taxation, Constitution & Elections, Education, Commerce, Transportation & Utilities, Local Legislation No. 2.

1st District

OSCAR RAY PEDEN—Judiciary, Constitution & Elections, Education, Seaports & Inland Waterways, Local Legislation No. 1.

33rd District

MIKE PERLOFF—Finance & Taxation, Judiciary, Constitution & Elections, State Government, Seaports & Inland Waterways, Local Legislation No. 1.

23rd District

T. DUDLEY PERRY—Vice-Chairman Local Government, Judiciary, Constitution & Elections, Education, Agriculture.

26th District

JERRY POWELL—Finance & Taxation, Judiciary, Business & Labor Relations, Education, Health & Welfare, Banking, Insurance.

18th District

LISTER HILL PROCTOR—Vice-Chairman Local Legislation No. 1, Local Government, Local Legislation No. 2.

35th District

BILL ROBERTS—Chairman Local Government, Constitution & Elections, Conservation, Education, Seaports & Inland Waterways.

4th District

FINIS ST. JOHN—Chairman Judiciary, Constitution & Elections, State Government, Local Government.

16th District

RICHARD SHELBY—Finance & Taxation, Rules, Judiciary, Education, Insurance, State Government.

20th District

DONALD STEWART—Finance & Taxation, Business & Labor Relations, Conservation, Banking, State Government.

19th District

JOHN TEAGUE—Vice-Chairman Insurance, Business & Labor Relations, Banking, Commerce, Transportation & Utilities.

12th District

PAT VACCA—Vice-Chairman Banking, Vice-Chairman Local Legislation No. 2, Finance & Taxation, Judiciary, Constitution & Elections, Agriculture, Local Government.

10th District

GERALD WALDROP—Chairman Business & Labor Relations, Finance & Taxation, Judiciary, Education, Health & Welfare, Local Government.

5th District

ROBERT T. WILSON—Finance & Taxation, Conservation, Banking, Insurance, Commerce, Transportation & Utilities, Seaports & Inland Waterways, Local Legislation No. 2.

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Richard Andrews, 34	Alvin Holmes, 80
Ralph (Buddy) Armstrong, 50	Jack Hopping, Sr., 40
James A. Baker, 66	Asbury Howard, 49
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Curtis Smith, 53	Charles W. Whatley, 65
Jack W. Smith, 73	Dr. Dewey White, Jr., 31
Monroe Smith, 61	R. Nolan Williams, 72
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John R. Sparks, 11	Dal C. Younce, 97

ROSTER
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OF ALABAMA, 1978

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ROBERT T. (BOBBY TOM) CROWE
Speaker Pro-Tem, Jasper

JOHN W. PEMBERTON, *Clerk*, Montgomery

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1	LAUDERDALE	Lynn Greer	Rt. 3, Box 102, Rogersville 35652
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5	FRANKLIN, MARION	Paul J. Weeks	P. O. Box 674, Winfield 35594
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7	LAWRENCE, MORGAN	Wayland Cross	Box D, Courtland 35618
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9	MORGAN	Tommy Ed Roberts	P. O. Box 1298, Hartselle 35640
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- 12 WINSTON, WALKER
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- 13 WALKER
Alvis Naramore 5th Ave. & 19th Street, Jasper 35501
- 14 JEFFERSON, BLOUNT
Carl Jolly P. O. Box 366, Gardendale 35071
- 15 JEFFERSON
Robert B. (Bob) Hall Rt. 2, Box 593-W, Pinson 35126
- 16 LIMESTONE
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- 17 LIMESTONE, MADISON
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- 19 MADISON
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- 20 MADISON
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- 28 ETOWAH
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- 29 ETOWAH
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